

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 7, 1918.

The court met pursuant to law.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John Carlos Shields, of Detroit, Mich.; Willis G. Clarke, of Detroit, Mich.; J. Merrill Wright, of Pittsburgh, Pa.; David L. Starr, of Pittsburgh, Pa.; Albert G. Liddell, of Pittsburgh, Pa.; Claude R. Porter, of Centerville, Iowa; Henry F. May, of Denver, Colo.; James H. Anderson, of Chattanooga, Tenn.; Robert A. Hunter, of Shreveport, La.; J. W. Pless, of Marion, N. C.; Stanley Moore, of Oakland, Cal.; John Evarts Tracy, of Milwaukee, Wis.; Walter Carroll Low, of New York City; Norbert Heinsheimer, of New York City; John R. Lazenby, of Boston, Mass.; Frederick W. Gaines, of Toledo, Ohio; Roger Hinds, of New York City; Henry Wiley Johnson, of Savannah, Ga.; Frederick R. Shearer, of Washington, D. C.; Walter C. Balderson, of Washington, D. C.; Thomas M. Kirby, of Cleveland, Ohio; Arthur Mayer, of New York City; Samuel Marcus, of New York City; Kheve Henry Rosenberg, of New York City; Isidor Kalisch, of Newark, N. J.; Francis Lafferty, of Newark, N. J.; C. H. Henkel, of Mansfield, Ohio; Frederick A. Mohr, of Auburn, N. Y.; Henry A. Brann, jr., of New York City; Frank G. Wagaman, of Hagerstown, Md.; Spotswood D. Bowers, of New York City; Morris L. Johnston, of Chicago, Ill.; Benjamin W. Dart, of New Orleans, La.; Maryus Jones, of Newport News, Va.; Joseph A. Massie, of Newport News, Va.; Basil Lamar Mayes, of Greenwood, Miss.; W. W. Young, of New Orleans, La.; C. W. Pierce, of Kansas City, Mo.; Robert W. Blair, of Wytheville, Va.; and James A. Hamill, of Jersey City, N. J., were admitted to practice.

The Chief Justice announced that all motions noticed for to-day would be heard to-morrow, and the court would then commence the call of the docket pursuant to the twenty-sixth rule.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 8, will be as follows: Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11 (and 13).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 8, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

T. Alan Goldsborough, of Denton, Md.; John F. Ryan, of Buffalo, N. Y.; Charles F. A. Smith, of Boston, Mass.; Frank S. Carden, of Chattanooga, Tenn.; Horace Paul Dormon, of Philadelphia, Pa.; Eugene L. Dominick, of Buffalo, N. Y.; Earl D. Killion, of Los Angeles, Cal.; and W. D. Humphrey, of Oklahoma City, Okla., were admitted to practice.

No. 4. The United States, plaintiff in error, *v.* Harvey C. Shauver. Passed, on motion of Mr. Assistant to the Attorney General Todd for the plaintiff in error.

No. 6. The United States of America, appellant, *v.* Lehigh Valley Railroad Company;

No. 11. The United States of America, appellant, *v.* Reading Company et al.;

No. 13. Reading Company et al., appellants, *v.* The United States of America;

No. 22. The United States of America, appellant, *v.* United States Steel Corporation et al.;

No. 23. Eastman Kodak Company et al., appellants, *v.* The United States of America;

No. 38. Associated Billposters and Distributors of the United States and Canada et al., appellants, *v.* The United States;

No. 66. The United States, appellant, *v.* American Can Company et al.;

No. 86. The United States, appellant, *v.* The Quaker Oats Company et al.;

No. 224. The United States of America, appellant, *v.* Southern Pacific Company et al.; and

No. 271. Corn Products Refining Company et al., appellants, *v.* The United States of America. Continued, on motion of Mr. Assistant to the Attorney General Todd for The United States.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Joint motion for leave to file petition in the District Court for sale of timber submitted by Mr. Assistant to the Attorney General Todd for The United States.

No. 236. The United States of America, plaintiff in error, *v.* The Federal Publishing Company; and

No. 237. The United States of America, plaintiff in error, *v.* The Butterick Company. In error to the District Court of the United States for the Southern District of New York. Dismissed, on motion of Mr. Assistant to the Attorney General Todd for the plaintiff in error.

No. 347. John E. Reade, appellant, *v.* The United States of America et al. Motion by appellant to advance submitted by Mr. Assistant to the Attorney General Todd in behalf of counsel.

No. 367. The United States of America, plaintiff in error, *v.* C. T. Doremus; and

No. 370. W. S. Webb et al. *v.* The United States of America. Re-assigned for Monday, December 9, on motion of Mr. Assistant to the Attorney General Todd for the United States.

No. 408. The United States of America, plaintiff in error, *v.* Homer Gudger. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the plaintiff in error.

No. 135. Red Jacket, Jr., Coal Company et al., appellants, *v.* United Thacker Coal Company. Motion to dismiss or affirm submitted by Mr. Arthur S. Dayton for the appellee in support of the motion, and by Mr. E. Spencer Miller for the appellants in opposition thereto.

No. 664. The Hebe Company et al., appellants, *v.* Norman E. Shaw, Secretary of Agriculture of Ohio et al. Motion to advance submitted by Mr. Charles E. Hughes for the appellant.

No. 457. The Zanesville & Western Railway Company, plaintiff in error, *v.* Charles E. Williams, administrator, etc. Motion to dismiss submitted by Mr. F. S. Monnett for the defendant in error in support of the motion, and by Mr. John H. Doyle and Frederick W. Gaines for the plaintiff in error in opposition thereto, with leave to counsel for the defendant in error to file an additional brief within six days. Petition for a writ of certiorari herein submitted by Mr. John H. Doyle for the plaintiff in error in support of the petition.

No. 26. Adams State Bank, plaintiff in error, *v.* The People of the State of Illinois. Passed, per stipulation, on motion of Mr. Frank H. Bicek for the plaintiff in error.

No. 556. Duplex Printing Press Company, appellant, *v.* Emil J. Deering et al., etc. Motion to advance submitted by Mr. Daniel Davenport for the appellant.

No. 398. Rebecca Coon, plaintiff in error, *v.* James Kennedy. Motion to advance under the 32d rule submitted by Mr. James D. Carpenter, jr., for the plaintiff in error.

No. 36. The Hardin-Wyandot Lighting Company, plaintiff in error, *v.* the Village of Upper Sandusky. Continued, on motion of Mr. William R. Harr, in behalf of counsel.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogart et al., executors, etc., et al. Petition for leave to intervene by Albert M. Polak submitted by Mr. Alexander Britton in behalf of Mr. Norbert Heinsheimer for the petitioner.

No. 47. James G. Petrie et al., plaintiffs in error, *v.* Nampa & Meridian Irrigation District. Passed, on motion of Mr. Alexander Britton in behalf of counsel.

No. —, original. *Ex parte* In the matter of Whitney Steamboat Corporation, petitioner. Motion for leave to file a petition for a writ of prohibition submitted by Mr. Frederick S. Tyler in behalf of Mr. Alexander S. Bacon for the petitioner.

No. —, original. *Ex parte* In the matter of Charles W. Coon, petitioner. Motion for leave to file petition for writ of *habeas corpus* submitted by Mr. Frederick S. Tyler in behalf of the petitioner.

No. 693. The Brunswick-Balke-Collender Company, appellant, *v.* Walter H. Evans et al. Appeal from the District Court of the United States for the District of Oregon. Docketed and dismissed with costs, on motion of Mr. Frederick S. Tyler, for the appellees.

No. 336. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Fletcher Paper Company;

No. 337. Detroit & Mackinac Railway Company, plaintiff in error *v.* Island Mill Lumber Company;

No. 338. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Churchill Lumber Company;

No. 339. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Richardson Lumber Company; and

No. 340. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Michigan Veneer Company. Motions to dismiss or affirm or place on the summary docket submitted by Mr. Frederick S. Tyler in behalf of Mr. Edward S. Clark for the appellees in support of the motions, and by Mr. James McNamara and Mr. Fred A. Baker, for the appellants in opposition thereto.

No. 239. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* Oresta Da Vella, Royal Italian consul, as administrator, etc. Motion for leave to amend statement of points relied upon and to print additional additional parts of the record submitted by Mr. William C. Prentiss and Mr. E. N. Clark for the plaintiff in error

in support of the motion, and by Mr. F. W. Sanborn for the defendant in error in opposition thereto.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogart et al., executors, etc., et al. Petition for leave to intervene by Henry J. Chase submitted by Mr. A. M. Schaffer in behalf of counsel.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogart et al., executors, etc., et al. Petitions for leave to intervene by Fer- gus Reid, Francis P. O'Reilly, and The Corn Exchange Bank sub- mitted by Mr. Charles Henry Butler in behalf of counsel.

No. 544. Daniel M. Phillips et al., plaintiffs in error, *v.* W. O. Mitchell and Helen E. Mitchell. Motion to dismiss submitted by Mr. Joseph W. Bailey in behalf of Mr. C. B. Stuart for the defendants in error, in support of the motion, and by Mr. Milton Brown for the plaintiffs in error in opposition thereto.

No. 442. The Pennsylvania Railroad Company, petitioner, *v.* Alice Frances Brown et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles E. Hughes, Mr. Francis I. Gowen, Mr. Frederic D. McKenney, and Mr. John Hampton Barnes for the petitioner, and by Mr. T. R. White and Mr. William A. Glasgow, jr., for the respondent.

No. 454. Hubbard-Zemurray Steamship Company, petitioner, *v.* Aktieselskabet Stavangeren. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit sub- mitted by Mr. Walter S. Penfield in behalf of Mr. Thomas J. Free- man for the petitioner.

No. 459. Columbia-Knickerbocker Trust Company, petitioner, *v.* Edwin Hale Abbot;

No. 460. Columbia-Knickerbocker Trust Company, petitioner, *v.* Edwin Hale Abbot;

No. 461. Columbia-Knickerbocker Trust Company, petitioner, *v.* Preston B. Keith;

No. 462. Columbia-Knickerbocker Trust Company, petitioner, *v.* Preston B. Keith;

No. 463. Columbia-Knickerbocker Trust Company, petitioner, *v.* John S. Ames;

No. 464. Columbia-Knickerbocker Trust Company, petitioner, *v.* John S. Ames;

No. 465. Columbia-Knickerbocker Trust Company, petitioner, *v.* Maria A. Evans, executrix;

No. 466. Columbia-Knickerbocker Trust Company, petitioner, *v.* George E. Keith;

No. 467. Columbia-Knickerbocker Trust Company, petitioner, *v.* George E. Keith;

No. 468. Columbia-Knickerbocker Trust Company, petitioner, *v.* Mary O. Cordingley;

No. 469. Columbia-Knickerbocker Trust Company, petitioner, *v.* Mary O. Cordingley;

No. 470. Columbia-Knickerbocker Trust Company, petitioner, *v.* F. Lothrop Ames; and

No. 471. Columbia-Knickerbocker Trust Company, petitioner, *v.* F. Lothrop Ames. Petition for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John R. Lazenby, Mr. Robert M. Morse, and Mr. Julien T. Davies for the petitioner, and by Mr. Moorfield Storey, Mr. Robert G. Dodge, and Mr. Edwin H. Abbot, jr., for the respondents.

No. 472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland submitted by Mr. Frederic D. McKenney and Mr. John Spalding Flannery for the petitioner, and by Mr. T. Alan Goldsborough for the respondent.

No. 477. Stanley Polluck, petitioner, *v.* The Minneapolis & St. Louis Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota submitted by Mr. George H. Lamar in behalf of Mr. Humphrey Barton for the petitioner, and by Mr. F. M. Miner for the respondent.

No. 478. Black Mountain Railway Company, petitioner, *v.* Leona Mumpower, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. J. W. Pless and Mr. Murray Allen for the petitioner, and by Mr. A. Hall Johnston for the respondent.

No. 483. Union Tool Company, petitioner, *v.* Elihu C. Wilson; and

No. 484. Union Tool Company, et al., petitioners, *v.* Wilson & Willard Manufacturing Company. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. S. S. Gregory and Mr. Frederick S. Lyon for the petitioners, and by Mr. D. P. Wolhaupter for the respondents.

No. 485. William-Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway. Petition for a writ of certiorari to the Supreme Court of the State of Idaho submitted by Mr. Patrick H. Loughran and Mr. John P. Gray for the petitioner, and by Mr. Heman H. Field for the respondent.

No. 488. The New York Central Railroad Company, petitioner, *v.* William P. Gallagher, as guardian of Anna L. Gearity, et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Frederic D. McKenney in behalf of Mr. Robert E. Whalen and Mr. Frank V. Whiting for the petitioner, and

by Mr. Merton E. Lewis and Mr. E. Clarence Aiken for the respondent.

No. 489. Gulfport Towing Company, claimant, etc., petitioner, *v.* The Ollinger & Bruce Dry Dock Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Palmer Pillans for the petitioner, and by Mr. Harry T. Smith for the respondent.

No. 490. Claude A. P. Turner, petitioner, *v.* Lauter Piano Company, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur McGurk and Mr. Frank A. Whiteley for the petitioner, and by Mr. Amasa C. Paul and Mr. Edward Rector for the respondents.

No. 495. J. Carey King, petitioner, *v.* Fred B. Rhodes. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. William Meyer Lewin and Mr. Walter C. Balderston for the petitioner.

No. 501. The Pennsylvania Railroad Company, petitioner, *v.* Mary Ellen Long, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Frederic D. McKenney and Mr. John Spalding Flannery for the petitioner, and by Mr. A. Leftwich Sinclair for the respondent.

No. 503. Herbert E. Edwards, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William R. Harr in behalf of Mr. Rufus S. Day and Mr. Luther Day for the petitioner, and by Mr. Solicitor General Davis for the respondent.

No. 507. E. B. Spiller, plaintiff in error, *v.* Atchison, Topeka & Santa Fe Railway Company;

No. 508. E. B. Spiller, plaintiff in error, *v.* Chicago & Eastern Illinois Railroad Company;

No. 509. E. B. Spiller, plaintiff in error, *v.* Chicago & Alton Railroad Company;

No. 510. E. B. Spiller, plaintiff in error, *v.* The Missouri Pacific Railway Company;

No. 511. E. B. Spiller, plaintiff in error, *v.* St. Louis, Iron Mountain & Southern Railway Company;

No. 512. E. B. Spiller, plaintiff in error, *v.* St. Louis & San Francisco Railroad Company;

No. 513. E. B. Spiller, plaintiff in error, *v.* Chicago, Rock Island & Pacific Railway Company;

No. 514. E. B. Spiller, plaintiff in error, *v.* Illinois Central Railroad Company; and

No. 515. E. B. Spiller, plaintiff in error, *v.* Missouri, Kansas & Texas Railway Company. Petition for writs of certiorari to the

United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. H. Cowan and Mr. Buckner F. Deatherage for the plaintiff in error in support of the petition.

No. 518. Lawrence F. Connolly, administrator, et al., petitioner, *v.* Celia Diamond et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Webster Ballinger in behalf of Mr. Charles W. Beale for the petitioner.

No. 520. The Grand Rapids & Indiana Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frederic D. McKenney and Mr. James H. Campbell for the petitioner, and by Mr. Solicitor General Davis and Mr. Assistant Attorney General Frierson for the respondent.

No. 523. Western Union Telegraph Company, appellant, *v.* The Atlantic & West Point Railroad Company;

No. 524. Western Union Telegraph Company, appellant, *v.* The Louisville & Nashville Railroad Company; and

No. 525. Western Union Telegraph Company, appellant, *v.* The Nashville, Chattanooga & St. Louis Railroad Company. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William L. Clay and Mr. Rush Taggart for the appellants in support of the petitions and by Leon Weil and Saunders McDaniel for appellee in No. 523 and Henry L. Stone and Henry C. Peeples for appellee in No. 524 in opposition thereto.

No. 528. B. C. Lee, petitioner, *v.* Central of Georgia Railway Company et al. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia submitted by Mr. George A. King in behalf of Mr. William W. Osborne and Mr. Alexander A. Lawrence for the petitioner, and by Mr. T. M. Cunningham, jr., for the respondent.

No. 529. Elizabeth Hull, administratrix, petitioner, *v.* The Philadelphia & Reading Railway Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland submitted by Mr. Frank G. Wagaman and Mr. Harvey R. Spessard for the petitioner.

No. 530. North Michigan Water Company, petitioner, *v.* City of Escanaba et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Harry G. Gerrity in behalf of Mr. Arthur H. Ryall and Mr. John E. Tracy for the petitioner, and by Mr. Alfred Lucking for the respondent.

No. 533. Gee Woe, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Wague-

spack for the petitioner, and by Mr. Assistant to the Attorney General Todd and Mr. Assistant Attorney General Porter for the respondent.

No. 542. Western Union Telegraph Company, petitioner, *v.* George M. Brown, executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Paul E. Lesh in behalf of Mr. Rush Taggart and Mr. Beverly L. Hodghead for the petitioner, and by Mr. William J. Hunsaker and Mr. E. W. Britt for the respondent.

No. 552. River Sand & Gravel Company, petitioner, *v.* Board of Commissioners of the Port of New Orleans, claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frederick S. Tyler and Mr. John D. Grace for the petitioner.

No. 555. Jessie G. Darrow, petitioner, *v.* Postal Telegraph-Cable Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Frank W. Hackett and Mr. Paul J. Sherwood for the petitioner, and by Mr. Henry A. Knapp for the respondent.

No. 557. Charles W. Mayer, petitioner, *v.* A. and H. G. Mutschler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Eugene L. Dominick, Mr. John F. Ryan, and Mr. Martin Clark for the petitioner.

No. 558. Western Union Telegraph Company, petitioner *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Adolphus Edward Richards, Mr. Alexander P. Humphrey, and Mr. Rush Taggart for the petitioner, and by Mr. Henry L. Stone and Mr. Helm Bruce for the respondent.

No. 562. Newton Midkiff, petitioner, *v.* Sabin W. Colton, jr., et al., trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Maynard F. Stiles for the petitioner.

No. 567. Rederiaktiebolaget Atlanten, petitioner, *v.* Aktieselskabet Korn-Og Foderstof Kornpagniet. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. L. Russell Alden in behalf of Mr. John W. Griffin for the petitioner, and by Mr. Roscoe H. Hupper for the respondent.

No. 568. George A. Cole et al., petitioners, *v.* Joseph Ralph; and

No. 569. George A. Cole et al., petitioners, *v.* Joseph Ralph. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William C. Prentiss and Mr. George B. Thatcher for the petitioners.

No. 570. Harley-Davidson Motor Company et al., petitioners, *v.* Frederick S. Ellett et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William S. Hodges and Mr. E. Hayward Fairbanks for the petitioners, and by Mr. Charles L. Sturtevant and Mr. Archibald Cox for the respondents.

No. 571. Seaboard Air Line Railway Co., petitioner, *v.* Mrs. Lessie Horton, administratrix, etc. Petition for writ of certiorari to Supreme Court of North Carolina submitted by Mr. Thaddeus A. Adams for petitioner and Mr. Robert W. Winston for respondent.

No. 573. Louis Malvin et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Jesse C. Adkins in behalf of Mr. Louis Marshall for the petitioner.

Nos. 574 and 575. David H. E. Jones et al., petitioners, *v.* The United States of America upon the relation of Pressprich & Son Company. Petitions for writs of certiorari submitted by Mr. Charles Henry Butler in behalf of Mr. Frederick M. Brown for the petitioners, and by Mr. A. Leo Everett for the respondents.

No. 579. Martha E. Whitaker, individually and as executrix, etc., petitioner, *v.* The Whitaker Iron Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Henry A. Brann, jr., and Mr. Eugene Sweeney for the petitioner.

No. 582. Clarence P. Browning, petitioner, *v.* Fidelity Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles Trowbridge Tittmann and Mr. Roger Hinds for the petitioner, and by Mr. Robert H. McCarter for the respondent.

No. 583. The State of Ohio on the relation of the Hartford Life Insurance Company, petitioner, *v.* Robert H. Langdale et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. E. A. Krauthoff in behalf of Mr. Harry B. Arnold, Mr. James C. Jones, Mr. George F. Haid, and Mr. James C. Jones, jr., for the petitioner, and by Mr. Smith W. Bennett for the respondent.

No. 586. Nellie Hodge, as administratrix, etc., et al., petitioners, *v.* Arthur L. Myer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederick S. Tyler in behalf of Mr. Walter Carroll Low and Mr. Jules Chopak for the petitioners, and by Mr. Howard Taylor, Mr. Philip W. Russell, and Mr. Roy C. Gasser for the respondents.

No. 587. Ernest G. Walker, petitioner, *v.* Genevieve K. Gish. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. S. Herbert Giesy for the petitioner, and by Mr. Henry F. Woodard for the respondent.

No. 588. Reichert Towing Line, Inc., petitioner, *v.* Home Insurance Company; and

No. 589. Reichert Touring Line, Inc., petitioner, *v.* Jacob Rice. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. C. C. Calhoun in behalf of Mr. Francis Martin for the petitioner, and by Mr. Pierre M. Brown for the respondents.

No. 590. William Snyder, petitioner, *v.* Annie Snyder, use of William L. Hunt. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. James R. Reilly for the petitioner, and by Mr. R. W. Bishop for the respondent.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Assistant to the Attorney General Todd in behalf of Mr. Solicitor General Davis for the petitioner, and by Mr. Jesse D. Lydick for the respondent.

No. 593. The Pennsylvania Railroad Company et al., petitioners, *v.* Naam Looze Vennoot Schap et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederic D. McKenney and Mr. Shirley Carter for the petitioners.

No. 594. Pennsylvania Railroad Company et al., petitioners, *v.* Edwin Dyason, master, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederic D. McKenney and Mr. Shirley Carter for the petitioners, and by Mr. James K. Symmers for the respondent.

No. 596. Claude A. P. Turner, petitioner, *v.* Deere & Webber Building Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Arthur McGuirk in behalf of Mr. Frank A. Whiteley for the petitioner, and by Mr. Amasa C. Paul and Mr. Edward Rector for the respondents.

No. 599. Minerals Separation, Ltd., et al., petitioners, *v.* Butte & Superior Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederic D. McKenney, Mr. Henry D. Williams, Mr. William Houston Kenyon, Mr. Lindley M. Garrison, Mr. Garrett W. McEnerney, and Mr. Odell W. McConnell for the petitioners,

and by Mr. Thomas F. Sheridan, Mr. Frederick P. Fish, Mr. J. Edgar Bull, Mr. J. Bruce Kremer, and Mr. Kurnal R. Babbitt for the respondent.

No. 600. Frank W. Darling, plaintiff in error, *v.* City of Newport News. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. John Winston Read and Mr. Maryus Jones for the plaintiff in error in support of the petition.

No. 601. Pacific Mail Steamship Company, petitioner, *v.* Panama Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. M. Tibbetts in behalf of Mr. J. Parker Kirlin for the petitioner, and by Mr. Richard Reid Rogers for the respondent.

No. 602. A. C. Robinson, trustee, etc., petitioner, *v.* Seaboard National Bank of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. Merrill Wright, Mr. Alvin A. Morris, Mr. Samuel McClay, and Mr. Thomas Patterson for the petitioner, and by Mr. Herman Aaron and Mr. M. W. Acheson, jr., for the respondent.

No. 603. A. C. Robinson, trustee etc., petitioner, *v.* J. H. Purdy. Petition for a writ of certiorari to the United States Court of Appeals for the Third Circuit submitted by Mr. J. Merrill Wright, Mr. Alvin A. Morris, Mr. Samuel McClay, and Mr. Thomas Patterson for the petitioner, and by Mr. Herman Aaron and Mr. M. W. Acheson, jr., for the respondent.

No. 604. A. C. Robinson, trustee, etc., petitioner, *v.* Edward W. Hutchins and Henry Wheeler, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. J. Merrill Wright, Mr. Alvin A. Morris, Mr. Samuel McClay, and Mr. Thomas Patterson for the petitioner, and by Mr. Herman Aaron and Mr. M. W. Acheson, jr., for the respondent.

No. 605. Grand Trunk Railway Company of Canada, petitioner, *v.* Mt. Clemens Sugar Company. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. L. T. Michener in behalf of Mr. Harrison Geer for the petitioner, and by Mr. Thomas A. E. Weadock and Mr. John C. Weadock for the respondent.

No. 610. Paul Wierse and Johann Klattenhoff, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frank J. Hogan for the petitioners.

No. 612. R. McCulloch Dick, petitioner, *v.* Anton Hohmann, Acting Chief of Police of Manila. Petition of a writ of certiorari to the

Supreme Court of the Philippine Island submitted by Mr. Alexander Britton, Mr. Evans Browne, and Mr. W. A. Kincaid for the petitioner, and by Mr. Edward S. Bailey for the respondent.

No. 613. The Montezuma Valley Irrigation District et al., petitioners, *v.* Mark Norris et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jesse C. Adkins in behalf of Mr. B. W. Ritter for the petitioners, and by Mr. Mark Norris, Mr. Clyde C. Dawson, Mr. Fred R. Wright, and Mr. Charles D. Hayt for the respondents.

No. 614. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Reeve Lewis, Mr. W. B. Kerkam, and Mr. Ralph L. Scott for the petitioner, and by Mr. H. A. Toulmin for the respondent.

No. 618. The Board of Public Utility Commissioners, petitioner, *v.* Yuchausti & Company et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Edward S. Bailey and Mr. Chester J. Gerkin for the petitioner, and by Mr. Alexander Britton and Mr. Evans Browne for the respondent.

No. 619. Michael U. Boehmer, petitioner, *v.* Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edwin C. Brandenburg for the petitioner, and by Mr. Frederic D. McKenney for the respondent.

Nos. 621 and 622. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc., et al. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Monroe Buckley and Mr. Charles H. Burr for the petitioners, and by Mr. Selden Bacon and Mr. Arthur B. Fletcher for the respondents.

No. 623. The Toledo & Ohio Central Railway Company, petitioner, *v.* S. J. Kibler & Brothers Company. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. F. W. Gaines and Mr. John H. Doyle for the petitioner, and by Mr. C. E. McBride for the respondent.

No. 624. The Cudahy Packing Company, petitioner, *v.* William K. Bixby et al., receivers, etc. Petition for a writ of certiorari to the Kansas City court of appeals, State of Missouri, submitted by Mr. Charles Trowbridge Tittman in behalf of Mr. George T. Buckingham for the petitioner, and by Mr. James L. Minnis for the respondents.

No. 626. Baltimore & Ohio Railroad Company, petitioner, *v.* John E. Futhey et al. Petition for a writ of certiorari to the court of appeals of the eighth judicial district of the State of Ohio submitted by Mr. John J. Hamilton in behalf of Mr. S. H. Tolles for the petitioner.

No. 627. Teresa O. DePrevost, petitioner, *v.* Robert A. Young. Petition for a writ of certiorari to the court of appeals of the District of Columbia submitted by Mr. Frank W. Hackett for the petitioner, and by Mr. Frederick de Courcy Faust, Mr. Charles F. Wilson, and Mr. George Kearney for the respondent.

No. 629. B. F. Wertz, petitioner, *v.* David Ross. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. D. M. Tibbetts for the petitioner.

No. 631. Jacob Landes, etc., petitioner, *v.* Paul Klopstock, etc.; and

No. 632. Louis Liebman et al., petitioners, *v.* Paul Klopstock, etc. Petition for writs of certiorari to the United States Circuit Court of Appeals for the second circuit submitted by Mr. Wade H. Ellis in behalf of Mr. E. A. Bigelow for the petitioners, and by Mr. Arthur Mayer for the respondent.

No. 637. The New York Central Railroad Company, petitioner, *v.* Wilbur H. Mohney. Petition for a writ of certiorari to the court of appeals of Lucas County, State of Ohio, submitted by Mr. Frederick W. Gaines and Mr. John H. Doyle for the petitioner, and by Mr. Albert H. Miller and Mr. A. J. Miller for the respondent.

No. 639. The Chicago, Rock Island & Pacific Railway Company et al., petitioners, *v.* Fred Ward. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Sidney A. Taliaferro, Mr. R. J. Roberts, Mr. C. O. Blake, Mr. W. H. Moore, Mr. Thomas P. Littlepage, and Mr. W. F. Dickinson, for the petitioners, and by Mr. W. S. Pendleton for the respondent.

No. 640. Life Preserver Suit Company, Inc., petitioner, *v.* National Life Preserver Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James A. Hamill in behalf of Mr. Edward E. McCall for the petitioner, and by Mr. W. Bourke Cockran for the respondent.

No. 643. Joseph Cohen, petitioner, *v.* The People of the State of New York. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Samuel Marcus and Mr. Frank Moss for the petitioner, and by Mr. Merton E. Lewis and Mr. Alfred L. Becker for the respondent.

No. 646. Samuel J. Rosenthal et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles B. Stafford for the petitioner.

No. 647. The New York Central Railroad Company, petitioner, *v.* Kathryn G. Kimball, as administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted

by Mr. Frederic D. McKenney and Mr. Maurice C. Spratt for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 648. Louisiana Navigation Company, petitioner, *v.* Oyster Commission of Louisiana. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. J. C. Gilmore, Mr. Thomas Gilmore, and Mr. Edward Nicholls Pugh for the petitioner.

No. 649. Alvah Crocker et al., Trustees, etc., petitioners, *v.* John F. Malley, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. George A. King in behalf of Mr. Felix Rackemann for the petitioner.

No. 651. Paul H. King and Dudley E. Waters, receivers, etc., petitioners, *v.* Edwin L. Boyd. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. John C. Shields and Mr. Henry E. Bodman for the petitioners, and by Mr. Benn M. Corwin for the respondent.

No. 653. Ana Maria Sugar Company, Inc., petitioner, *v.* Tomas Quinones. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. E. Crosby Kindleberger for the petitioner.

No. 654. Erie Railroad Company, petitioner, *v.* William H. Mahla. Petition for a writ of certiorari to the Court of Appeals of Richland County, State of Ohio, submitted by Mr. J. Paul Lamb, Mr. C. E. McBride, and Mr. N. M. Wolfe for the petitioner, and by Mr. C. H. Henkel for the respondent.

No. 655. LaCrosse Plow Company, petitioner, *v.* Louis Pagenstecher. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Paul E. Lesh in behalf of Mr. Charles W. Bunn for the petitioner, and by Mr. William F. Gurley for the respondent.

No. 656. Leo Weidhorn, petitioner, *v.* Benjamin A. Levy, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Lucas P. Loving in behalf of Mr. Walter Hartstone for the petitioner.

No. 657. Camp Brothers & Company, petitioner, *v.* Portable Wagon Dump & Elevator Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William R. Harr in behalf of Mr. Albert H. Graves for the petitioner, and by Mr. H. H. Bliss for the respondent.

No. 660. Southern Pacific Company, claimant, etc., et al., petitioners, *v.* Stag Line, Ltd., claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the

Fifth Circuit submitted by Mr. D. M. Tibbetts in behalf of Mr. J. Parker Kirlin for the petitioners, and by Mr. William B. Lockhart for the respondents.

No. 662. Alaska Steamship Company, petitioner, *v.* National Carbon Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Alexander Britton in behalf of Mr. Harrison Gray Platt, Mr. Henry Crofut White, and Mr. Robert Treat Platt for the petitioner, and by Mr. D. Roger Englar and Mr. Oscar R. Houston for the respondent.

No. 668. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Philip S. Craig et al., executors, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Thomas A. Evans in behalf of Mr. Charles N. Burch and Mr. H. D. Minor for the petitioner.

No. 672. The State Industrial Commission of the State of New York, petitioner, *v.* Clarence P. Howland Company (Inc.) et al. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, State of New York, submitted by Mr. E. Clarence Aiken and Mr. Merton E. Lewis for the petitioner, and by Mr. Andrew J. Nellis for the respondents.

No. 673. The State Industrial Commission of the State of New York, petitioner, *v.* Johnson Lighterage Company et al. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, State of New York, submitted by Mr. E. Clarence Aiken and Mr. Merton E. Lewis for the petitioner.

No. 674. The State Industrial Commission of the State of New York, petitioner, *v.* Rock Plaster Manufacturing Company et al. Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, State of New York, submitted by Mr. E. Clarence Aiken and Mr. Merton E. Lewis for the petitioner.

No. 675. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. D. M. Tibbetts in behalf of Mr. J. Parker Kirlin, Mr. John M. Woolsey, and Mr. F. C. Nicodemus, jr., for the petitioner, and by Mr. Royal Victor for the respondent.

No. 676. Charles W. Rice, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. John R. Lazenby in behalf of Mr. William Shaw McCallum for the petitioner.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 14, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John T. Gose, Jefferson City, Mo.; Hewson L. Peeke, of Sandusky, Ohio; Austin M. Cowan, of Wichita, Kans.; James M. Challiss, of Atchison, Kans.; Clifford Greve, of Houston, Tex.; Frank Vernon Aler, of Martinsburg, W. Va.; James G. Palmer, of Shreveport, La.; William S. Hogsett, of Kansas City, Mo.; Mont T. Prewitt, of Kansas City, Mo.; Joseph T. Davis, of St. Louis, Mo.; Clinton O. Bunn, of Ardmore, Okla.; Samuel R. Kenworthy, of Rock Island, Ill.; John Emerson Bennett, of Oklahoma City, Okla.; Emmet S. Thigpen, of Montgomery, Ala.; F. Loyd Tate, of Wetumpka, Ala.; Joseph L. Tepper, of Washington, D. C.; and John T. Kenworthy, of Rock Island, Ill.; were admitted to practice.

No. 1022, October Term, 1917. Clinton H. Pierce, Angelo Creo, Charles Z. Zeilman, and Charles Nelson, plaintiffs in error, *v.* The United States of America. Petition to set aside order docketing and dismissing and to docket the case submitted by Mr. Jackson H. Ralston in behalf of Mr. Frederick A. Mohr for the plaintiffs in error in support of the petition, with leave to Mr. Assistant to the Attorney General Todd to submit a memorandum in regard to the petition.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company;

No. 217. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company; and

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad Company. Motion to consolidate for hearing submitted by Mr. Bynum E. Hinton, counsel for the plaintiff in error in No. 130 and for the appellant in No. 404.

No. 288. Louis H. Orr, appellant, *v.* Henry M. Allen et al. Submitted by Mr. Henry E. Davis, in behalf of Mr. Robert J. Smith for the appellant and by Mr. Oren Britt Brown for the appellees.

No. 615. County of Rock Island and Paul H. Lorenz, plaintiffs in error, *v.* Edmund M. Dunne, Catholic Bishop, etc. Motion to dismiss or affirm submitted by Mr. J. T. Kenworthy and Mr. George I. Haight for the defendant in error in support of the motion and by Mr. C. J. Searle for the plaintiffs in error in opposition thereto.

No. 10, Original. The State of South Dakota, complainant, *v.* Charles B. Collins. Leave granted to file, open and publish testimony, on motion of Mr. Samuel Herrick in behalf of counsel for the complainant.

No. 544. Daniel M. Phillips et al., plaintiffs in error, *v.* W. O. Mitchell and Helen E. Mitchell. Motion for extension of time in which to file printed response, etc., to motion to dismiss submitted by Mr. D. T. Morgan in behalf of Mr. Milton Brown for the plaintiff in error.

Nos. 164, 165, and 166. The United States et al., appellants, *v.* New Orleans Pacific Railway Company et al. Reassigned for argument on Monday, December 9 next, on motion of Mr. H. H. White for the appellees.

No. 650. David F. Mitchell, petitioner, *v.* Harry Mason et al. Motion for leave to proceed *in forma pauperis* and motion for leave to complete the record herein submitted by Mr. David F. Mitchell *pro se*.

No. 9, Original. State of Missouri, complainant, *v.* Chicago, Burlington & Quincy Railroad Company. Stipulation for judgment herein submitted by Mr. Frank W. McAllister for the complainant.

No. 449. Allanwilde Transport Corporation *v.* Vacuum Oil Company; and

No. 450. Allanwilde Transport Corporation *v.* A. W. Pidwell. Motion to advance submitted by Mr. Luther M. Walter in behalf of counsel.

No. 262. The Bank of California, National Association, *v.* Friend William Richardson, as Treasurer of the State of California. Submitted by Mr. Julius Kahn in behalf of Mr. E. S. Pillsbury, Mr. F. D. Madison, Mr. Oscar Sutro, and Mr. Alfred Sutro for the plaintiff in error, and by Mr. U. S. Webb and Mr. Raymond Benjamin for the defendant in error.

No. 524. Western Union Telegraph Company, appellant, *v.* The Louisville & Nashville Railroad Company. Motion to dismiss or affirm submitted by Mr. Frederick S. Tyler in behalf of Mr. Henry L. Stone and Mr. Henry C. Peeples for the appellee in support of the motion, and by Mr. Rush Taggart and Mr. William L. Clay for the appellant in opposition thereto.

No. 380. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The State of Alabama. Submitted by Mr. E. Perry Thomas, Mr. Henry L. Stone, and Mr. George W. Jones for the plaintiff in error, and by Mr. F. Loyd Tate and Mr. Enimet S. Thigpen for the defendant in error.

No. 658. Ed. C. Lasater, petitioner, *v.* Magnolia Petroleum Company et al. Petition for a writ of certiorari to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas submitted by Mr. Joseph W. Bailey in behalf of Mr. W. E. Pope for the petitioner, with leave to file printed papers within ninety days.

No. 498. Houston Oil Company of Texas et al., petitioners, *v.* The State of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William L. Marbury in behalf of Mr. Thomas M. Kennerly and Mr. H. O. Head for the petitioner.

No. 535. Louis A. Meyran, petitioner, *v.* J. H. Watt, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William Macrum for the petitioner.

No. 550. The Union Savings Bank & Trust Company of Cincinnati, Trustee, petitioner, *v.* George Feick et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. E. B. King and Mr. Malcolm McAvoy for the petitioner, and by Mr. H. L. Peeke for the respondent.

No. 584. The Estate of P. D. Beckwith, Inc., petitioner, *v.* The Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry C. Howard for the petitioner.

No. 630. J. W. Ferguson and J. C. Blanchard, appellants, *v.* Babcock Lumber & Land Company. Petition for a writ of certiorari herein submitted by Mr. G. S. Ferguson, jr., in behalf of Mr. Mark W. Brown and Mr. F. A. Sondley for the appellants in support of the petition, and by Mr. J. Franklin Shields and Mr. A. Hall Johnston for the appellee in opposition thereto.

No. 645. New Orleans, Mobile & Chicago Railroad Company, petitioner, *v.* Hill Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. J. N. Flowers for the petitioner, and by Mr. Francis S. Laws for the respondent.

No. 665. Boston & Albany Railroad Company, petitioner, *v.* Charles J. Bjornquist, by his next friend, Alfred Wiggin. Petition for a writ of certiorari to the United States Circuit Court of Appeals

for the First Circuit submitted by Mr. Lowell A. Mayberry for the petitioner, and by Mr. Bernard J. Killion and Mr. Charles Teye for the respondent.

No. 671. Postal Telegraph-Cable Company, petitioner, *v.* J. L. Dickerson. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Bynum E. Hinton in behalf of Mr. James N. Flowers for the petitioner.

No. 683. The State of Louisiana, petitioner, *v.* New Orleans Land Company. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. William Winans Wall, Mr. James Clark Henrique, and Mr. I. D. Moore for the petitioner, and by Mr. Charles Louque and Mr. W. O. Hart for the respondent.

Order.—It is ordered by the court that the cases heretofore assigned for argument on this day be, and the same are hereby, re-assigned for argument on Monday, the 21st instant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 21, will be as follows: Nos. 310, 212, 235, 375, 361 (and 392, 393, and 394), 376, 357, 277 (and 329, 330, and 353), 320 (and 321), 21 Original, 218, 378, and 3 Original.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 21, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice Brandeis.

Harry K. Hickey, of Washington, D. C., Carl F. Boester, of St. Louis, Mo., Ralph E. Day, of Washington, D. C., Carleton N. Gary, of Reno, Nev., Arthur L. Eno, of Lowell, Mass., James Cuning, of Baker, Oreg., W. H. Larew, of Madera, Cal., Merle I. St. John, of New York City. Mary G. McMahon, of Columbus, Ohio, Edw. E. Burkhart, of Dayton, Ohio, Clyde Raymond Yates, of New Haven, Conn., Harlan Read, of Okmulgee, Okla., Charles Sumner Clancy, of Indianapolis, Ind., and Burt Etheridge Barlow, of Coldwater, Mich., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 135. Red Jacket, jr., Coal Company, et al., appellants, *v.* United Thacker Coal Company. Appeal from the District Court of the United States for the Southern District of West Virginia. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Equitable Life Assurance Co. v. Brown*, 187 U. S., 308, 314; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S., 596, 600; *Bolan v. United States*, 236 U. S., 216, 218; (2) *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 234 U. S., 369; *Male v. Atchison, etc. Ry. Co.*, 240 U. S., 97; (3) *Shapiro v. United States*, 235 U. S., 412. See *Omaha Baum Iron Stove Co. v. Moline Plow Co.*, 244 U. S., 650.

No. 544. D. M. Phillips et al., plaintiffs in error, *v.* W. O. Mitchell et al. In error to the Supreme Court of the State of Oklahoma. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Equitable Life Assurance Society v. Brown*, 187 U. S., 308, 314; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S., 596, 600; *Bolan v. United States*, 236 U. S., 216, 218.

No. —, original. *Ex parte* In the matter of Whitney Steamboat Corporation, petitioner. Motion for leave to file petition for writ of prohibition granted, and rule to show cause awarded returnable Monday, December 9, 1918.

No. —, original. *Ex parte* In the matter of Charles W. Coon, petitioner. Motion for leave to file petition for writ of *habeas corpus* denied.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Joint motion for leave to file petition in United States District Court for an order granting leave to sell certain timber granted.

No. 239. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* Oresta Da Vella, Royal Italian consul, as administrator, etc. Motion for leave to amend points relied on and for leave to print additional parts of the transcript of record herein granted without prejudice.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogart et al., executors, etc., et al. The several petitions for leave to intervene postponed to the hearing of the case on the merits.

No. 347. John E. Reade, appellant, *v.* The United States of America et al. Motion to advance granted, and case assigned for argument on Monday, December 9 next, after the cases heretofore assigned for that day.

No. 398. Rebecca Coon, plaintiff in error, *v.* James Kennedy. Motion to advance granted, and case assigned for argument on Monday, December 9 next, after the cases heretofore assigned for that day.

No. 408. The United States of America, plaintiff in error, *v.* Homer Gudger. Motion to advance granted, and case assigned for argument on Monday, December 9 next, after the cases heretofore assigned for that day.

No. 664. The Hebe Company et al., appellants, *v.* Norman E. Shaw, Secretary of Agriculture of Ohio, et al. Motion to advance granted, and case assigned for argument on Monday, December 9 next, after the cases heretofore assigned for that day.

No. 556. Duplex Printing Press Company, appellant, *v.* Emil J. Deering and William Bramley, individually and as business agents, etc. Motion to advance denied.

No. 472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland granted.

No. 485. William Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway. Petition for a writ of certiorari to the Supreme Court of the State of Idaho granted.

Nos. 507 to 515. E. B. Spiller, plaintiff in error, *v.* Atchison, Topeka & Santa Fe Railway Company et al. Further consideration of the petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit postponed to the hearing of the cases on the writs of error.

No. 442. The Pennsylvania Railroad Company, petitioner, *v.* Alice Frances Brown et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 454. Hubbard-Zemurray Steamship Company, petitioner, *v.* Aktieselskabet Stavangeren. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

Nos. 459 and 460. Columbia-Knickerbocker Trust Company, petitioner, *v.* Edwin Hale Abbot;

Nos. 461 and 462. Columbia-Knickerbocker Trust Company, petitioner, *v.* Preston B. Keith;

Nos. 463 and 464. Columbia-Knickerbocker Trust Company, petitioner, *v.* John S. Ames;

No. 465. Columbia-Knickerbocker Trust Company, petitioner, *v.* Maria A. Evans, executrix;

Nos. 466 and 467. Columbia-Knickerbocker Trust Company, petitioner, *v.* George E. Keith;

Nos. 468 and 469. Columbia-Knickerbocker Trust Company, petitioner, *v.* Mary O. Cordingly; and

Nos. 470 and 471. Columbia-Knickerbocker Trust Company, petitioner, *v.* F. Lothrop Ames. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 477. Stanley Polluck, petitioner, *v.* The Minneapolis & St. Louis Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of South Dakota denied.

No. 478. Black Mountain Railway Company, petitioner, *v.* Leona Mumpower, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 483. Union Tool Company, petitioner, *v.* Elihu C. Wilson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 484. Union Tool Company et al., petitioners, *v.* Wilson & Willard Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 488. The New York Central Railroad Company, petitioner, *v.* William P. Gallagher, as guardian of Anna L. Gearrity et al. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 489. Gulfport Towing Company, Claimant, etc., petitioner, *v.* The Ollinger & Bruce Dry Dock Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 490. Claude A. P. Turner, petitioner, *v.* Lauter Piano Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 495. J. Carey King, petitioner, *v.* Fred B. Rhodes. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 503. Herbert E. Edwards, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 518. Lawrence F. Connolly, administrator, etc., et al., petitioners, *v.* Celia Diamond et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 520. Grand Rapids & Indiana Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

ORDER. It is ordered by the court that section 3 of Rule 22 of the Rules of Practice of this court be, and the same is hereby, amended so as to read as follows:

“3. One hour on each side will be allowed for the argument, and no more, without special leave of the court, granted before the argument begins. But in cases certified from the Circuit Court of Appeals, cases involving solely the jurisdiction of the court below, and cases under the act of March 2, 1907, 34 Stat., 1246, forty-five minutes only on each side will be allowed for the argument unless the time be extended. The time thus allowed may be apportioned between the counsel on the same side, at their discretion; provided, always, that a fair opening of the case shall be made by the party having the opening and closing arguments.”

No. 113. Frank Nicoulin, plaintiff in error, *v.* John J. O'Brien. Submitted pursuant to the twentieth rule by Mr. Augustus E. Willson for the plaintiff in error, and by Mr. D. A. Sachs for the defendant in error.

No. 5. International Harvester Company of New Jersey et al., appellants, *v.* The United States. Appeal from the District Court of the United States for the District of Minnesota. Dismissed and mandate granted, on motion of counsel for the appellants.

No. 39. Joseph Holt et al., appellants, *v.* Supreme Lodge, Knights of Pythias. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Dismissed with costs, on motion of counsel for the appellants.

No. 103. The Ann Arbor Railroad Company, appellant, *v.* Casius L. Glasgow et al. Appeal from the District Court of the United States for the Eastern District of Michigan. Dismissed without costs to either party per stipulation.

No. 110. Norfolk Southern Railroad Company, plaintiff in error, *v.* William L. Whitehurst. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed each party to pay their own costs per stipulation.

No. 140. Arthur A. Bonvillain, petitioner, *v.* H. B. Howell, trustee, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs per stipulation.

No. 133. H. S. McGowan et al., plaintiffs in error, *v.* Eagle Cliff Fishing Company. In error to the Supreme Court of the State of Oregon. Dismissed without costs to either party per stipulation.

No. 257. Ada T. Cushing, executrix, etc., plaintiff in error, *v.* John H. Whaley et al. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 680. Louisa B. Schneider and David Peltz, petitioners, *v.* The City of New York et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Merle I. St. John and Mr. Charles P. Brown for the petitioners, and by Mr. William P. Burr for the respondents.

No. 682. Bessie Tyrrell, nee Offutt, et al., petitioners, *v.* Charles B. Shaffer et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Richard Clyde Allen and Mr. Henry B. Martin for the petitioners, and by Mr. Malcolm E. Rosser for the respondents.

No. 700. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Okla. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. John Emerson Bennett for the petitioners.

No. 702. Dora Finley, petitioner, *v.* Mary E. Halliburton. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Joseph W. Bailey in behalf of Mr. E. L. Fulton for the petitioner, and by Mr. J. H. Everest for the respondent.

No. 705. The Duluth Steamship Company, petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank S. Bright in behalf of Mr. Harvey D. Goulder, Mr. Thomas H. Garry and Mr. Chauncey C. Colton for the petitioner.

ORDER. It is ordered by the court that the cases heretofore assigned for argument on this day be, and the same are hereby, re-assigned for argument on Monday, the 28th instant.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, October 28, will be as follows: Nos. 310, 212, 235, 375, 361 (and 392, 393, and 394), 376, 357, 277 (and 329, 330, and 353), 320 (and 321), 21 original, 218, 378, and 3 original.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 28, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice Brandeis.

Karl Edmund Steinhauer, of Washington, D. C.; Allan H. Frazer, of Detroit, Mich.; Maxwell McNutt, of San Francisco, Cal.; Alfred Franklin, of Phoenix, Ariz.; Frank B. Wickersham, of Harrisburg, Pa.; Roy B. Thomson, of Kansas City, Mo.; Benjamin Axleroad, of Albany, N. Y.; W. H. Gill, of Houston, Tex.; George W. Korte, of Seattle, Wash.; Charles Follett, of Columbus, Ohio; Wallace D. Connor, of Brunson, S. C.; and Bernard F. Weadock, of Detroit, Mich., were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 615. County of Rock Island et al., plaintiffs in error, *v.* Edmund M. Dunne, Catholic bishop of the diocese of Peoria. In error to the Supreme Court of the State of Illinois. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of (1) Cuyahoga River Power Company *v.* Northern Realty Company, 244 U. S., 300, 303; Bilby *v.* Stewart, 246 U. S., 255; (2) Equitable Life Assurance Society *v.* Brown, 187 U. S., 308, 314; Consolidated Turnpike Company *v.* Norfolk, etc., Railway Company, 218 U. S., 596, 600; Bolan *v.* United States, 236 U. S., 216, 218.

No. 1022, October Term, 1917. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. Motion to set aside order docketing and dismissing case and for leave to file the transcript of record and docket case granted.

No. 650. David F. Mitchell, petitioner, *v.* Harry Mason et al. Motion for leave to proceed *in forma pauperis* denied. Motion for leave to complete transcript of record granted, without prejudice.

No. 9, original. The State of Missouri, complainant, *v.* Chicago, Burlington & Quincy Railroad Company. Judgment entered as per stipulation of counsel.

No. 449. Allanwilde Transport Corporation *v.* Vacuum Oil Company; and

No. 450. Allanwilde Transport Corporation *v.* A. W. Pidwell. Motion to advance granted, and cases assigned for argument on

Monday, December 9 next, after the cases heretofore assigned for that day.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company;

No. 217. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company; and

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad Company. Ordered that these cases be assigned for argument on Monday, January 6 next.

No. 528. B. C. Lee, petitioner, *v.* Central of Georgia Railway Company et al. Petition for a writ of certiorari to the Court of Appeals of the State of Georgia granted.

No. 529. Elizabeth Hull, administratrix, etc., petitioner, *v.* The Philadelphia & Reading Railway Company. Petition for a writ of certiorari to the Court of Appeals of the State of Maryland granted.

No. 542. The Western Union Telegraph Company, petitioner, *v.* George M. Brown, executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 567. Rederiaktiebolaget Atlanten, petitioner, *v.* Aktieselskabet Korn-Og Foderstof Kompagniet. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 568. George A. Cole et al, petitioners, *v.* Joseph Ralph. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 569. George A. Cole et al., petitioners, *v.* Joseph Ralph. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 571. Seaboard Air Line Railway Company, petitioner, *v.* Mrs. Lessie Horton, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 614. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 618. The Board of Public Utility Commissioners, petitioner, *v.* Yuchausti & Company et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 619. Michael U. Boehmer, petitioner, *v.* Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 637. New York Central Railroad Company, petitioner, *v.* Wilbur H. Mohny. Petition for a writ of certiorari to the Court of Appeals of Lucas County, State of Ohio, granted.

No. 639. The Chicago, Rock Island & Pacific Railway Company et al., petitioners, *v.* Fred Ward. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 653. Ana Maria Sugar Company, petitioner, *v.* Tomas Quinones. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 656. Leo Weidhorn, petitioner, *v.* Benjamin A. Levy, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 671. Postal Telegraph-Cable Company, petitioner, *v.* J. L. Dickerson. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi granted.

No. 675. Piedmont & Georges Creek Coal Company, petitioner, *v.* Seaboard Fisheries Company, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 700. Coleman J. Ward et al., petitioners, *v.* The Board of County Commissioners of Love County, Oklahoma. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 498. Houston Oil Company of Texas et al., petitioners, *v.* the State of Texas et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 501. The Pennsylvania Railroad Company, petitioner, *v.* Mary Ellen Long, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 530. North Michigan Water Company, petitioner, *v.* City of Escanaba et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 533. Gee Woe, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 535. Louis A. Meyran, petitioner, *v.* J. H. Watt, trustee in bankruptcy of H. M. Lasker & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 550. The Union Savings Bank & Trust Company of Cincinnati, Trustee, petitioner, *v.* George Feick et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 552. River Sand & Gravel Company, petitioner, *v.* Board of Commissioners of the Port of New Orleans, Claimant, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 555. Jessie G. Darrow, petitioner, *v.* Postal Telegraph Cable Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 557. Charles W. Mayer, petitioner, *v.* A. and H. G. Mutschler et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 562. Newton Midkiff, petitioner, *v.* Sabin W. Colton, jr., et al., trustees, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 570. Harley-Davidson Motor Company et al., petitioners, *v.* Frederick S. Ellett et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 573. Louis Malvin et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

Nos. 574 and 575. David H. E. Jones and Howard E. Jones, co-partners, etc., et al., petitioners, *v.* The United States of America upon the relation of Pressprich & Son Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 579. Martha E. Whitaker, individually and as executrix, etc., petitioner, *v.* The Whitaker Iron Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 582. Clarence P. Browning, petitioner, *v.* Fidelity Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 583. The State of Ohio on the relation of The Hartford Life Insurance Company, petitioner, *v.* Robert H. Langdale et al. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 586. Nellie Hodge, as administratrix, etc., et al., petitioners, *v.* Arthur L. Meyer et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 587. Ernest G. Walker, petitioner, *v.* Genevieve K. Gish. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 588. Reichert Towing Line, Inc., petitioner, *v.* Home Insurance Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 589. Reichert Towing Line, Inc., petitioner, *v.* Jacob Rice. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 590. William Snyder, petitioner, *v.* Annie Snyder, use of William L. Hunt. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 593. The Pennsylvania Railroad Company et al., petitioners, *v.* Naam Looze Vennoot Schap et al. Petition for a writ certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 594. The Pennsylvania Railroad Company et al., petitioners, *v.* Edwin Dyason, master, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 596. Claude A. P. Turner, petitioner, *v.* Deere & Webber Building Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 600. Frank W. Darling, plaintiff in error *v.* City of Newport News. Petition for a writ of certiorari herein denied.

No. 601. Pacific Steamship Company, petitioner, *v.* Panama Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 602. A. C. Robinson, trustee, etc., petitioner, *v.* Seaboard National Bank of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 603. A. C. Robinson, trustee, etc., petitioner, *v.* J. H. Purdy, Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 604. A. C. Robinson, trustee, etc., petitioner, *v.* Edward W. Hutchins and Henry Wheeler, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 605. Grand Trunk Railway Company of Canada, petitioner, *v.* Mt. Clemens Sugar Company. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 610. Paul Wierse and Johann Klattenhoff, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 612. R. McCulloch Dick, petitioner, *v.* Anton Hohmann, Acting Chief of Police of Manila. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 613. The Montezuma Valley Irrigation District et al., petitioners, *v.* Mark Norris et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

Nos. 621 and 622. John A. S. Brown et al., petitioners, *v.* Austin B. Fletcher, as testamentary trustee, etc., et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 623. The Toledo & Ohio Central Railway Company, petitioner, *v.* The S. J. Kibler & Brothers Company. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 626. Baltimore & Ohio Railroad Company, petitioner, *v.* John E. Futhey and The Pennsylvania Company. Petition for a writ of certiorari to the Court of Appeals, Eighth Judicial District, State of Ohio, denied.

No. 627. Teresa O. De Prevost, petitioner, *v.* Robert A. Young. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 629. B. F. Wertz, petitioner, *v.* David Ross. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 630. J. W. Ferguson and J. C. Blanchard, appellants, *v.* Babcock Lumber & Land Company. Petition for a writ of certiorari herein denied.

No. 631. Jacob Landes, etc., petitioner, *v.* Paul Klopstock, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 632. Louis Liebman and Nathan Liebman, copartners, etc., petitioners, *v.* Paul Klopstock, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 640. Life Preserver Suit Company, Inc., petitioner, *v.* National Life Preserver Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 643. Joseph Cohen, petitioner, *v.* The People of the State of New York. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 645. New Orleans, Mobile & Chicago Railroad Company, petitioner, *v.* Hill Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 646. Samuel J. Rosenthal and Harry Himmelman, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 647. The New York Central Railroad Company, petitioner, *v.* Kathryn G. Kimball, as administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 651. Paul H. King and Dudley E. Waters, receivers, etc., petitioners, *v.* Edwin L. Boyd. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 654. Erie Railroad Company, petitioner, *v.* William H. Mahla. Petition for a writ of certiorari to the Court of Appeals of Richland County, State of Ohio, denied.

No. 655. La Crosse Plow Company, petitioner, *v.* Louis Pagenstecher. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 657. Camp Brothers & Company, petitioner, *v.* Portable Wagon Dump & Elevator Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 660. Southern Pacific Company, claimant, etc., et al., petitioners, *v.* Stag Line, Limited, claimant, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 662. Alaska Steamship Company, petitioner, *v.* National Carbon Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 665. Boston & Albany Railroad Company, petitioner, *v.* Charles J. Bjornquist, by his next friend, Alfred Wiggin. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 668. The Yazoo & Mississippi Valley Railroad Company et al., petitioners, *v.* Philip S. Craig et al., executors, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 672. The State Industrial Commission of the State of New York, petitioner, *v.* Clarence P. Howland Company, Inc., et al. Peti-

tion for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, of the State of New York, denied.

No. 673. The State Industrial Commission of the State of New York, petitioner, *v. Johnson Lighterage Company et al.* Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, of the State of New York, denied.

No. 674. The State Industrial Commission of the State of New York, petitioner, *v. Rock Plaster Manufacturing Company et al.* Petition for a writ of certiorari to the Supreme Court, Appellate Division, Third Judicial Department, of the State of New York, denied.

No. 676. Charles W. Rice, petitioner, *v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 680. Louisa B. Schneider and David Peltz, petitioners, *v. The City of New York et al.* Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 702. Dora Finley, petitioner, *v. Mary E. Halliburton.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 705. The Duluth Steamship Company, petitioner, *v. Northern Pacific Railway Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 345. Abraham L. Sugarman, plaintiff in error, *v. The United States of America;*

No. 437. Charles T. Schenck, plaintiff in error, *v. The United States of America;*

No. 438. Elizabeth Baer, plaintiff in error, *v. The United States of America; and*

No. 548. Conrad Kornmann, plaintiff in error, *v. The United States of America.* Motion to advance submitted by Mr. Assistant to the Attorney General Todd for The United States.

No. 376. William B. Bales, plaintiff in error, *v. The United States of America.* In error to the District Court of the United States for the Southern District of New York. Judgment reversed upon confession of error, and cause remanded for further proceedings, on motion of Mr. Assistant to the Attorney General Todd for the defendant in error.

No. 421. Camp Bird, Limited, petitioner, *v. Frank W. Howbert, as Collector, etc.* On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed with costs upon confession of error, and cause remanded for further pro-

ceedings, on motion of Mr. Assistant to the Attorney General Todd for the respondent.

No. 719. Clarence W. Turner et al., plaintiffs in error, *v.* Old Homestead Company et al. In error to the Supreme Court of the State of Oklahoma. Docketed and dismissed with costs, on motion of Mr. John J. Shea for the defendants in error.

No. 666. Detroit United Railway, appellant, *v.* City of Detroit. Motion to advance or for an injunction pending the hearing submitted by Mr. Elliott G. Stevenson, Mr. John C. Donnelly, Mr. William L. Carpenter, Mr. P. J. M. Hally, and Mr. Bernard F. Weadock for the appellant in support of the motion, and by Mr. Richard I. Lawson for the appellee in opposition thereto.

No. 15. E. W. Bliss Company, appellant, *v.* The United States; and

No. 16. The United States, appellant, *v.* E. W. Bliss Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Ely J. Blair in behalf of counsel.

Nos. 686 and 687. Maurice Sugar, petitioner, *v.* The United States. Leave granted to withdraw the appearance of P. J. M. Halley as counsel for the petitioner, on motion of Mr. Willis G. Clarke in that behalf.

No. 260. Albert Palmer et al., plaintiffs in error, *v.* The State of Ohio. Motion to affirm submitted by Mr. Clarence D. Laylin and Mr. Frank Davis, jr., for the defendant in error in support of the motion, and by Mr. John G. Romer and Mr. I. F. Raudabaugh for the plaintiffs in error in opposition thereto.

No. 715. The Columbus Railway, Power & Light Company, appellant, *v.* The City of Columbus, Ohio, et al. Motion to advance submitted by Mr. Joseph S. Clark for the appellant.

No. 352. Deschutes Railroad Company, appellant, *v.* Eastern Oregon Land Company. Motion to dismiss or affirm submitted by Mr. Alexander Britton and Mr. Evans Browne for the appellee in support of the motion, and by Mr. Arthur C. Spencer and Mr. James G. Wilson for the appellant in opposition thereto.

No. 479. International Paper Company, petitioner, *v.* The Schooner "Gracie D. Chambers," etc. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of counsel for the petitioner.

No. 34. The Southwestern Telegraph & Telephone Company, plaintiff in error, *v.* The City of Dallas, Texas. In error to the Court of Civil Appeals of the Fifth Supreme Judicial District of the State of Texas. Dismissed, per stipulation.

No. 625. Seaboard Air Line Railway Company, petitioner, *v.* J. J. Gray. Petition for a writ of certiorari to the Supreme Court of the

State of South Carolina submitted by Mr. John C. Brooke in behalf of Mr. Jo-Berry S. Lyles for the petitioner, and by Mr. Wallace D. Connor and Mr. Fred H. Dominick for the respondent.

No. 678. S. T. Hills, as trustee, etc., petitioner, *v.* C. D. Stimson Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. E. C. Brandenburg in behalf of Mr. Cassius E. Gates for the petitioner.

Nos. 686 and 687. Maurice Sugar, petitioner, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Willis G. Clarke for the petitioner, and by Mr. Assistant to the Attorney General Todd, Mr. Assistant Attorney General Porter, and Mr. W. C. Herron for the respondent.

No. 691. The Barber Asphalt Paving Company, petitioner, *v.* William H. Woerheide et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles L. Sturtevant in behalf of Mr. Joseph C. Fraley and Mr. Henry N. Paul for the petitioner, and by Mr. George F. Haid for the respondents.

No. 703. Samuel R. Maynard, petitioner, *v.* Matt G. Reynolds and Thomas B. Harlan, partners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Roy B. Thomson, Mr. O. H. Dean, and Mr. H. M. Langworthy for the petitioner.

No. 717. Drusa Sturm et al., petitioners, *v.* John S. Stump et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. E. Haymond for the petitioner.

Order. It is ordered by the Court that the cases heretofore assigned for argument on this day be, and the same are hereby, re-assigned for argument on Monday, November 4th.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 4, will be as follows: Nos. 310, 212, 235, 375, 361 (and 392, 393, and 394), 357, 277 (and 329, 330, and 353), 320 (and 321), 21 original, 218, 378, and 3 original.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 4, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Leslie C. Garnett, of Richmond, Va.; Thomas S. Salathiel, of Independence, Kans.; Max Kahn, of Detroit, Mich.; Frank Evard Green, of Seattle, Wash.; Frederick W. Dewart, of Spokane, Wash.; Jesse Fuller, jr., of Brooklyn, N. Y.; and Thomas Fite Paine, of Aberdeen, Miss., were admitted to practice.

No. 25. Watts, Watts & Company, Limited, petitioner, *v.* Unione Austriaca di Navigazione, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 28. Pittsburgh Melting Company, appellant, *v.* G. E. Totten, Inspector of the Bureau of Animal Industry of the Department of Agriculture. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice Day.

The Chief Justice announced the following orders of the court:

No. 524. Western Union Telegraph Company, appellant, *v.* Louisville & Nashville Railroad Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1)*a.* Section 128 of the Judicial Code; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S., 300; *b.* *Equitable Assurance Co. v. Brown*, 187 U. S., 308, 314; *Deming v. Carlisle Packing Co.*, 226 U. S., 102; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S., 596, 600; (2) *Pensacola Telegraph Co. v. Western Union Telegraph Co.*, 96 U. S., 1; *Western Union Telegraph Co. v. Ann Arbor R. R.*

Co., 178 U. S., 239; *Western Union Telegraph Co. v. Pennsylvania R. R. Co.*, 195 U. S., 540; *Western Union Telegraph Co. v. Richmond*, 224 U. S., 160; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S., 300. See *Western Union Telegraph Co. v. Louisville & Nashville R. R. Co.*, 244 U. S., 649.

No. 457. *The Zanesville & Western Railway Company*, plaintiff in error, *v. Charles F. Williams*, administrator, etc. In error to the Court of Appeals of Muskingum County, State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237, Judicial Code, as amended by the act of Congress of September 6, 1916, chap. 448, 39 Stat. 726; and petition for certiorari denied.

No. 380. *Louisville & Nashville Railroad Company*, plaintiff in error, *v. The State of Alabama*. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for want of jurisdiction upon the authority of *St. Louis & S. W. Ry. Co. v. Arkansas*, 235 U. S. 350; *Kansas City, Memphis & Birmingham Ry. Co. v. Stiles*, 242 U. S. 111.

No. 352. *Deschutes Railroad Company*, appellant, *v. Eastern Oregon Land Company*. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *a. Section 128 of the Judicial Code; Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300; *b. Equitable Assurance Co. v. Brown*, 187 U. S. 308, 314; *Deming v. Carlisle Packing Co.*, 226 U. S. 102; *Consolidated Turnpike v. Norfolk & c. Ry. Co.*, 228 U. S. 596, 600; (2) *a. Bankers' Mutual Casualty Co. v. Minneapolis, St. P. & S. Ste. M. R. Co.*, 192 U. S. 371, 383, 385; *Hull v. Burr*, 234 U. S. 712; *b. Taylor v. Anderson*, 234 U. S. 74; *Joy v. City of St. Louis*, 201 U. S. 332. See writ of certiorari denied, *Deschutes R. R. Co. v. Oregon Land Co.*, 245 U. S. 672.

No. 479. *International Paper Company*, petitioner, *v. The Schooner "Gracie D. Chambers,"* etc. Motion to advance granted, and case assigned for argument on Monday, December 9 next, after the cases heretofore assigned for that day.

No. 666. *Detroit United Railway*, appellant, *v. City of Detroit*. Motion to advance granted, and case assigned for argument on Monday, December 9 next, at the head of the call for that day.

No. 345. *Abraham L. Sugarman*, plaintiff in error, *v. The United States of America*;

No. 437. *Charles T. Schenck*, plaintiff in error, *v. The United States of America*;

No. 438. *Elizabeth Baer*, plaintiff in error, *v. The United States of America*; and

No. 548. Conrad Kornmann, plaintiff in error, *v.* The United States of America. Motion to advance granted, and cases assigned for argument on Monday, January 6 next, after the cases heretofore assigned for that day.

No. 715. The Columbus Railway, Power & Light Company, appellant, *v.* The City of Columbus, Ohio, et al. Motion to advance granted, and case assigned for argument on Monday, January 6 next, after the cases heretofore assigned for that day.

No. 584. The Estate of P. D. Beckwith, Inc., petitioner, *v.* The Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 649. Alvah Crocker et al., trustees, petitioners, *v.* John F. Malley, Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 682. Bessie Tyrrell, etc., petitioner, *v.* Charles B. Shaffer et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 625. Seaboard Air Line Railway Company, petitioner, *v.* J. J. Gray. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina granted.

No. 523. Western Union Telegraph Company, appellant, *v.* The Atlanta & West Point Railroad Company. Petition for a writ of certiorari herein denied.

No. 524. Western Union Telegraph Company, appellant, *v.* The Louisville & Nashville Railroad Company. Petition for a writ of certiorari herein denied.

No. 525. Western Union Telegraph Company, appellant, *v.* The Nashville, Chattanooga & St. Louis Railway. Petition for a writ of certiorari herein denied.

No. 558. Western Union Telegraph Company, petitioner, *v.* Louisville & Nashville Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 624. The Cudahy Packing Company, petitioner, *v.* William K. Bixby et al., receivers, etc. Petition for a writ of certiorari to the Kansas City Court of Appeals of the State of Missouri denied.

No. 648. Louisiana Navigation Company, petitioner, *v.* Oyster Commission of Louisiana et al. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 683. The State of Louisiana, petitioner, *v.* New Orleans Land Company. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana denied.

No. 678. S. T. Hills, as trustee, etc., petitioner, *v.* C. D. Stimson Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 686. Maurice Sugar, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 687. Maurice Sugar, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 703. Samuel R. Maynard, petitioner, *v.* Matt G. Reynolds et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 717. Drusa Sturm et al., petitioners, *v.* John S. Stump et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

Order: It is ordered by the court that section 3 of Rule 37 of the Rules of Practice of this court be amended so as to read as follows:

"3. Where an application is submitted to this court for a writ of certiorari to review a decision of a Circuit Court of Appeals or any other court, it shall be necessary for the petitioner to furnish as an exhibit to the petition a certified copy of the entire transcript of record of the case, including the proceedings in the court to which the writ of certiorari is asked to be directed. The petition shall contain only a summary and short statement of the matter involved and the general reasons relied on for the allowance of the writ. A failure to comply with this provision will be deemed a sufficient reason for denying the petition. Thirty printed copies of such petition and of any brief deemed necessary shall be filed. Notice of the date of submission of the petition, together with a copy of the petition and brief, if any, in support of the same shall be served on counsel for the respondent at least two weeks before such date in all cases except where the counsel to be notified resides west of the Rocky Mountains, in which cases the time shall be at least three weeks. The brief for the respondent, if any, shall be filed at least three days before the date fixed for the submission of the petition. Oral arguments will not be permitted on such petitions, but they may be submitted in open court by counsel or by the clerk on request of counsel, and no petition will be received within three days next before the day fixed upon for the adjournment of the court for the term."

No. 366. Occidental Construction Company, plaintiff in error, *v.* the United States of America. Motion to dismiss submitted by Mr.

Assistant Attorney General Thompson in behalf of Mr. Solicitor General Davis for the defendant in error in support of the motion, and by Mr. Charles E. Dow for the plaintiff in error in opposition thereto.

No. 692. Altheimer & Rawlings Investment Company, petitioner, *v.* E. B. Allen, United States Collector, etc. Motion to dismiss petition for writ of certiorari herein submitted by Mr. Assistant Attorney General Thompson in behalf of Mr. Assistant to the Attorney General Tood, and Mr. W. C. Herron for the respondent.

No. ——. Jacob Abrahams, Samuel Lipman, Hyman Rosansky, Hyman Lachowsky, and Mollie Steiner, plaintiffs in error, *v.* The United States of America. Motion to admit plaintiffs in error to bail submitted by Mr. Harry Weinberger for the plaintiffs in error, with leave to counsel for the defendant in error to file opposition within four days.

No. 290. Oregon-Washington Railroad & Navigation Company, plaintiff in error, *v.* Stoddard Lumber Company. Motion to dismiss or affirm submitted by Mr. Edward D. Baldwin in behalf of Mr. W. Lair Thompson for the defendant in error in support of the motion.

No. 494. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Motion to advance submitted by Mr. Alexander Britton in behalf of counsel for the appellant.

No. 9. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company, plaintiff in error, *v.* Alvin J. Fink. Passed, to be restored to the call under the provisions of section 9, Rule 26, on motion of Mr. F. D. McKenney for the plaintiff in error.

No. 369. John C. Madden, plaintiff in error, *v.* W. M. Forbes. Motion to dismiss submitted by Mr. Stephen H. Allen for the defendant in error in support of the motion, and by Mr. Joseph M. Stark for the plaintiff in error in opposition thereto.

No. 633. J. F. Lay et al., plaintiffs in error, *v.* R. C. Lay et al. Motion to dismiss or affirm submitted by Mr. William H. Watkins for the defendants in error in support of the motion, and by Mr. John C. Bryson for the plaintiffs in error in opposition thereto.

No. 375. Charles B. Shaffer, appellant, *v.* E. B. Howard, State auditor etc., et al. Passed, to be restored to the call pursuant to section 9 of Rule 26, per stipulation of counsel.

No. 523. Western Union Telegraph Company, appellant, *v.* The Atlanta & West Point Railroad Company. Motion to dismiss submitted by Mr. Sidney R. Prince in behalf of Mr. Sanders McDaniel and Mr. Leon Weil for the appellee in support of the motion, and by Mr. William L. Clay and Mr. Rush Taggart for the appellant in opposition thereto.

No. 692. Altheimer and Rawlings Investment Company, petitioner, *v.* E. B. Allen, U. S. Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. David Goldsmith for the petitioner, and by Mr. Assistant to the Attorney General Todd and Mr. W. C. Herron for the respondent.

No 709. James F. Bishop, administrator, etc., et al., petitioners, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harry W. Standidge for the petitioners, and by Mr. Harvey D. Goulder, Mr. Thomas H. Garry, Mr. James H. Wilkerson, and Mr. Edwin H. Cassels for the respondent.

No. 710. Pittsburgh Coal Company of Illinois, petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harrison Musgrave and Mr. William S. Oppenheim for the petitioner, and by Mr. Harvey D. Goulder, Mr. Thomas H. Garry, Mr. James H. Wilkerson, and Mr. Edwin H. Cassels for the respondents.

No. 726. Northwestern Electric Equipment Company, petitioner, *v.* Benjamin Electric Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Eugene C. Brown in behalf of Mr. Frederick W. Winter for the petitioner, and by Mr. W. Clyde Jones for the respondent.

No. 310. Gulf Oil Corporation, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue, etc. Argued by Mr. William A. Seifert for the petitioner, and by Mr. William C. Herron for the respondent.

No. 212. Alaska Pacific Fisheries, appellant, *v.* The United States of America. Argued by Mr. C. H. Hanford for the appellant, and by Mr. Assistant Attorney General Brown for the appellee.

No. 235. The United States of America, plaintiff in error, *v.* Edward M. Comyns et al. Argument commenced by Mr. Assistant Attorney General Kearful for the plaintiff in error, and continued by Mr. Charles A. Keigwin for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 5, will be as follows: Nos. 235, 361 (and 392, 393, and 394), 357, 277 (and 329, 330, and 353), 320 (and 321), 21 original, 218, 378, 3 original, and 1.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 5, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

G. W. Willrich, of Milwaukee, Wis., and James D. Lindsay, of Jefferson City, Mo., were admitted to practice.

No. 1. State of Louisiana *ex rel.* Willis J. Roussel, etc., plaintiff in error, *v.* Jared Y. Sanders, Governor, et al. Death of Willis J. Roussel, the plaintiff in error herein, suggested, and the appearance of Wilhelmine G. Schmidt, widow of Willis J. Roussel, deceased, and testamentary executrix of his succession, as the party plaintiff in error herein, filed and entered.

No. 1. State of Louisiana *ex rel.* Wilhelmine G. Schmidt, widow, etc., plaintiff in error, *v.* Jared Y. Sanders, Governor, et al. Submitted by the plaintiff in error *pro se*, and by Mr. Harry Gamble for the defendants in error.

No. 235. The United States of America, plaintiff in error, *v.* Edward M. Comyns et al. Argument continued by Mr. C. A. Keigwin for the defendants in error, and concluded by Mr. Assistant Attorney General Kearful for the plaintiff in error. Leave granted to file additional brief for the defendants in error within 10 days.

No. 361. John Dillon *v.* Strathearn Steamship Company, claimant of steamship "Strathearn";

No. 392. Erik Sandberg et al., petitioners, *v.* John McDonald, claimant of the British ship "Talus";

No. 393. Paul Nielsen et al., petitioners, *v.* Rhine Shipping Company, claimant, etc.; and

No. 394. John Hardy et al., petitioners, *v.* Shepard & Morse Lumber Company, claimant, etc. Leave granted Assistant Attorney General Brown to argue orally on behalf of the United States. Argument commenced by Mr. Assistant Attorney General Brown for the

United States; continued by Mr. Alex. T. Howard for the petitioners in No. 392; Mr. Palmer Pillans for the respondent in No. 392; Mr. W. J. Waguespack for Dillon in No. 361 and petitioners in No. 392; and Mr. Roscoe H. Hupper for the respondents in Nos. 393 and 394; and concluded by Mr. Silas Blake Axtell for Dillon in No. 361 and petitioners in Nos. 393 and 394, and submitted on printed arguments by Mr. Ralph James M. Bullova, for Strathearn Steamship Company, claimant, etc., in No. 361, and by Mr. Frederic R. Coudert as *amicus curiae* in No. 361.

No. 357. The United States of America, plaintiff in error, *v.* Dan Hill. Argument commenced by Mr. Assistant Attorney General Frierson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 6, will be as follows: Nos. 357, 277 (and 329, 330, and 353), 320 (and 321), 21, Original, 218, 378, 3, Original, 3, 7, and 8.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 6, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Washington T. Porter, of Cincinnati, Ohio; Stuart M. Salisbury, of Los Angeles, Cal.; and Thomas C. Yager, of Coachella, Cal., were admitted to practice.

No. 357. The United States of America, plaintiff in error, *v.* Dan Hill. Argument concluded by Mr. Assistant Attorney General Frierson for the plaintiff in error. No appearance for the defendant in error.

No. 227. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver of the Kansas Natural Gas Company;

No. 329. Kansas City, Missouri, et al., appellants, *v.* John M. Landon, receiver, etc., et al.;

No. 330. Kansas City Gas Company et al., appellants, *v.* Kansas Natural Gas Company et al.; and

No. 353. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver, etc., et al. Three hours allowed for the argument of these cases, on motion of Mr. F. S. Jackson in that behalf. Argument commenced by Mr. F. S. Jackson for The Public Utilities Commission for the State of Kansas et al.; continued by Mr. Robert Stone for Landon, receiver; Mr. James B. Lindsay for Public Service Commission of Missouri; Mr. A. F. Smith for Kansas City, Missouri; Mr. Chester I. Long for Landon, receiver, and Mr. Charles Blood Smith for Fidelity Title & Trust Company, and concluded by Mr. J. W. Dana for Kansas City Gas Company et al.

No. 320. Emanuel Baltzer et al., plaintiffs in error, *v.* The United States of America; and

No. 321. William J. Head, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Joe Kirby for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 7, will be as follows: Nos. 320 (and 321), 21 Original, 218, 378, 3 Original, 3, 7, 8, 10, and 12.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 7, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alfred Bettman, of Cincinnati, Ohio; John Weld Peck, of Cincinnati, Ohio; and Michael Joseph Gernon, of Russell, Kans., were admitted to practice.

No. 10. H. C. King, plaintiff in error, *v.* The Putnam Investment Company. Submitted by Mr. Lee Monroe for the plaintiff in error, and by Mr. B. I. Litowich for the defendant in error.

No. 12. Stephen W. Allen et al., plaintiffs in error, *v.* J. F. Trimmer, as treasurer, etc. In error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the Sixteenth Rule, on motion of Mr. S. P. Freeling for the defendant in error.

No. 320. Emanuel Baltzer et al., plaintiff in error, *v.* The United States of America; and

No. 321. William J. Head, plaintiff in error, *v.* The United States of America. Argument continued by Mr. Joe Kirby for the plaintiffs in error, by Mr. John Lord O'Brien for the defendant in error, and concluded by Mr. Joe Kirby for the plaintiffs in error.

No. 21, Original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway and the Cincinnati, New Orleans & Texas Pacific Railway Company. Argued by Mr. William A. Wimbish for the complainant, and by Mr. Edward Colston for the defendants.

No. 218. Guerini Stone Company, petitioner, *v.* P. J. Carlin Construction Company. Argument commenced by Mr. Edward S. Paine for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 8, will be as follows: Nos. 218, 378, 3 Original, 3, 7, 8, 14, 17, 18, and 19.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 8, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John P. Kyle, of St. Paul, Minn., and Richard Hartshorne, of Newark, N. J., were admitted to practice.

No. 18. City of Birmingham, plaintiff in error, *v.* D. J. O'Connell. Continued, per stipulation.

No. 218. Guerini Stone Company, petitioner, *v.* P. J. Carlin Constructiton Company. Argument continued by Mr. John C. Wait for the respondent and concluded by Mr. Edward S. Paine for the petitioner.

No. 378. W. C. Sterrett, as receiver, etc., petitioner, *v.* Second National Bank of Cincinnati, Ohio. Argued by Mr. Edmund H. Dryer for the petitioner and by Mr. Lawrence Maxwell for the respondent.

No. 3, Original. The People of the State of New York, complainants, *v.* State of New Jersey et al. Three hours allowed each side for the argument of this case on motion of Mr. Charles E. Hughes in that behalf. Argument commenced by Mr. Charles E. Hughes for the complainant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 11, will be as follows: Nos. 3 (original), 3, 7, 8, 14, 17, 19, 30, 32, and 33.

85736—18—12

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 11, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William Jerome Kuertz, of Cincinnati, Ohio, and Charles E. Weber, of Cincinnati, Ohio, were admitted to practice.

The Chief Justice announced the following orders of the court:

No. 1. The State of Louisiana, ex rel. Wilhelmine G. Schmidt, widow, etc., plaintiff in error, *v.* Jared Y. Sanders, Governor, et al. In error to the Supreme Court of the State of Louisiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) Bilby et al. *v.* Stewart, 246 U. S., 255, 257; Cuyahoga River Power Co. *v.* Northern Realty Co., 244 U. S., 300; Stewart *v.* City of Kansas City, 239 U. S., 14; (2) Stearns *v.* Minnesota, ex rel. Marr, 179 U. S., 223; Board of Liquidation *v.* Louisiana, ex rel. Wilder, 179 U. S., 622; (3) Empire State-Idaho Mining Co. *v.* Hanley, 205 U. S., 225; Goodrich *v.* Ferris, 214 U. S., 71; Brolan *v.* United States, 236 U. S., 216.

No. 369. John C. Madden, plaintiff in error, *v.* W. M. Forbes. In error to the Supreme Court of the State of Kansas. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) Bilby et al. *v.* Stewart, 246 U. S., 255, 257; Cuyahoga River Power Co. *v.* Northern Realty Co., 244 U. S., 300; Stewart *v.* City of Kansas City, 239 U. S., 14; (2) Empire State-Idaho Mining Co. *v.* Hanley, 205 U. S., 225; Goodrich *v.* Ferris, 214 U. S., 71; Brolan *v.* The United States, 236 U. S., 216.

No. 523. Western Union Telegraph Company, appellant, *v.* The Atlanta & West Point Railroad Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of Western Union Telegraph Co. *v.* Louisville & Nashville R. R. Co., dismissed *per curiam* November 4, 1918.

No. 290. Oregon-Washington Railroad & Navigation Company, plaintiff in error, *v.* Stoddard Lumber Company. In Error to the Supreme Court of the State of Oregon. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. at L. 726.

No. —. Jacob Abrams, Samuel Lipman, Hyman Rosansky, Hyman Lachowsky, and Mollie Steimer, plaintiffs in error, *v.* The United States of America. Motion to admit plaintiffs in error to bail pending the hearing of this cause granted, and the plaintiffs in error will be admitted to bail in the sum of ten thousand dollars (\$10,000.00) each, to be approved by one of the judges of the District Court of the United States for the Southern District of New York.

No. 494. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Motion to advance for hearing at the same time as case No. 185 on the docket for the present term granted.

No. 366. Occidental Construction Company, plaintiff in error, *v.* The United States of America. Consideration of the motion to dismiss postponed to the hearing in the regular call of the docket.

No. 599. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 691. The Barber Asphalt Paving Company, petitioner, *v.* William H. Woerheide et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 692. Altheimer & Rawlings Investment Company, petitioner, *v.* E. B. Allen, U. S. Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 709. James F. Bishop, Administrator, etc., petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 710. Pittsburgh Coal Company of Illinois, petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 726. Northwestern Electric Equipment Company, petitioner, *v.* Benjamin Electric Manufacturinug Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 246. The Cincinnati Traction Company et al., plaintiffs in error, *v.* The City of Cincinnati. Motion to dismiss or affirm submitted by Mr. Saul Zielonka for the defendant in error in support of the motion, and by Mr. Joseph Wilby and Mr. Alfred C. Cassett for the plaintiffs in error in opposition thereto.

No. 713. The Brennan Construction Company, petitioner, *v.* John L. Newbold. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George E. Sullivan and Mr. John J. Hamilton for the petitioner.

No. —, Original. *Ex parte* In the matter of Robert H. Thorburn, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. Frederick S. Tyler for the petitioner.

No. 720. Thomas J. Mooney, petitioner, *v.* The People of the State of California. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Frederick S. Tyler in behalf of Mr. Maxwell McNutt for the petitioner, and by Mr. C. M. Fickert for the respondent.

No. 30. Metropolitan State Bank, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Dismissed with costs, pursuant to the 19th Rule.

No. 32. Francis A. Churchill and Stewart Tait, copartners, doing business under the firm name and style of the Mercantile Advertising Agency, appellants and plaintiffs in error, *v.* James F. Rafferty, as Collector of Internal Revenue of the Philippine Islands. Appeal from and in error to the Supreme Court of the Philippine Islands. Dismissed with costs, pursuant to the 19th Rule.

No. 3, Original. The People of the State of New York, complainants, *v.* State of New Jersey et al. Argument continued by Mr. Charles E. Hughes for the complainants, and by Mr. Adrian Riker for the defendants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 12, will be as follows: Nos. 3 Original, 3, 7, 8, 14, 17, 19, 33, 35, and 37.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 12, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John Howard Conover, of Newark, N. J., was admitted to practice.

No. 35. The Bank of Oxford et al., plaintiffs in error, *v.* J. S. Love et al., bank examiners of the State of Mississippi. Passed, per stipulation.

No. 3, Original. The People of the State of New York, complainants, *v.* State of New Jersey et al. Argument continued by Mr. Adrian Riker and Mr. Robert H. McCarter for the defendants, and concluded by Mr. Charles E. Hughes for the complainants.

No. 3. Daniel J. Leary, appellant, *v.* The Mayor and Aldermen of the City of Jersey City et al. Argument commenced by Mr. John M. Enright for the appellant, and continued by Mr. Edward P. Stout for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 13, will be as follows: Nos. 3, 7, 8, 14, 17, 19, 33, 37, 40, and 41.

85736—18—14

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 13, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Albert Covington Dulaney, of Bowling Green, Ky., was admitted to practice.

No. 3. Daniel J. Leary, appellant, *v.* The Mayor and Aldermen of the City of Jersey City, et al. Argument concluded by Mr. Edward P. Stout for the appellees.

No. 7. The Buckeye Powder Company, plaintiff in error, *v.* E. I. du Pont de Nemours Powder Company et al. One hour and forty-five minutes allowed each side for oral argument, on motion of Mr. Twyman O. Abbott in that behalf. Reargument commenced by Mr. Twyman O. Abbott for the plaintiff in error, continued by Mr. William H. Button and Mr. Frank S. Katzenbach, jr., for the defendants in error, and concluded by Mr. Twyman O. Abbott for the plaintiff in error.

No. 8. Union Oil Company of California, plaintiff in error, *v.* S. R. Smith. Submitted by Mr. Lewis W. Andrews and Mr. Thomas O. Toland for the plaintiff in error, with leave to counsel for the plaintiff in error to file an additional brief. No appearance for the defendant in error.

No. 14. The Missouri Pacific Railway Company, plaintiff in error, *v.* The State of Kansas. Submitted by Mr. William P. Waggener for the plaintiff in error, and by Mr. James P. Coleman and Mr. Wayne B. Wheeler for the defendant in error.

No. 17. Charles F. Ruddy, plaintiff in error, *v.* Herman J. Rossi. Submitted by Mr. Charles E. Miller for the plaintiff in error. No appearance for the defendant in error.

No. 19. Robert Miller and William Cooney, plaintiffs in error, *v.* B. O. McClain. Submitted by Mr. A. E. Crane for the plaintiffs in error, and by Mr. Robert Stone, Mr. George F. McDermott, and Mr. H. O. Caster for the defendant in error.

No. 33. Clarence W. Turner, appellant, *v.* The United States and Creek Nation of Indians. Argument commenced by Mr. Charles H. Merillat for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 14, will be as follows: Nos. 33, 37, 40, 41, 42, 43, 44 (and 45), 46, 48, and 49.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 14, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Matthew A. Fyke, of Kansas City, Mo.; James H. Wise, of Twin Falls, Idaho; James R. Neill, of Detroit, Mich.; and Charles H. Stuart, of Lafayette, Ind.; were admitted to practice.

No. 43. D. N. Fink et al., trustees, etc., plaintiffs in error, *v.* The Board of County Commissioners of Muskogee County, Oklahoma, et al. Passed, to be restored to call pursuant to Section 9, Rule 26, per stipulation of counsel.

No. 33. Clarence W. Turner, appellant, *v.* The United States and Creek Nation of Indians. Argument concluded by Mr. Charles H. Merillat for the appellant, and case submitted by Mr. Assistant Attorney General Thompson and Mr. George M. Anderson for The United States, and Mr. James C. Davis for The Creek Nation.

No. 37. Abe Danciger et al., doing business as Danciger Brothers, plaintiffs in error, *v.* D. G. Cooley. Submitted by Mr. Edwin A. Krauthoff for the plaintiffs in error. No brief filed for the defendant in error.

No. 40. Wells Fargo & Company, plaintiff in error, *v.* The State of Nevada. Argued by Mr. Charles W. Stockton for the plaintiff in error, and by Mr. William C. Prentiss for the defendant in error.

No. 41. G. L. Henderson et al., plaintiffs in error, *v.* Helen R. Ressor, or Helen R. Henderson, et al. Argued by Mr. C. W. Prince for the plaintiffs in error, and submitted by Mr. H. M. Langworthy and Mr. T. A. Frank Jones for the defendants in error.

No. 42. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Mary O'Connor, as administratrix, etc. Argued by Mr. H. J. Killilea for the plaintiff in error, and by Mr. Eben R. Minahan for the defendant in error.

No. 44. The United States, appellant, *v.* George B. Spearin; and

No. 45. George B. Spearin, appellant, *v.* The United States.

Argument commenced by Mr. Charles E. Hughes for Spearin.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 15, will be as follows: Nos. 44 (and 45), 46, 48, 49, 50, 51, 52, 53, 54, and 55.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 15, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George Mason Dillard, of Norfolk, Va.; Gabriel I. Lewis, of New York City; Alfred S. Brown, of New York City; John J. Sullivan, of Seattle, Wash.; Clarence S. Palmer, of Kansas City, Mo.; William Moore, of Kansas City, Mo.; Otto C. Sommerich, of New York City; James H. Douglas, of Seattle, Wash.; and Irving E. Burdick, of New York City, were admitted to practice.

No. 48. Atlantic Coast Line Railroad Company, plaintiff in error, *v. A. M. Keels*. In error to the Supreme Court of the State of South Carolina. Dismissed with costs, and mandate granted, on motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error.

No. 54. Farson, Son & Company, plaintiff in error, *v. Joe S. Bird*, as county treasurer of Shelby County, Alabama. Submitted, per stipulation, by Mr. Giles William Lawrence Smith for the plaintiff in error. No brief filed for the defendant in error.

No. 44. The United States, appellant, *v. George B. Spearin*; and

No. 45. George B. Spearin, appellant, *v. The United States*. Argument continued by Mr. Charles E. Hughes for Spearin, and Mr. Assistant Attorney General Thompson for the United States, and concluded by Mr. Charles E. Hughes for Spearin.

No. 46. Edmund Penfold et al., executors, etc., et al., plaintiffs in error, *v. Eugene M. Travis*, as comptroller of the State of New York. Argued by Mr. William Mitchell for the plaintiffs in error, and by Mr. John B. Gleason for the defendant in error.

No. 49. W. S. Payne et al., plaintiffs in error, *v. The State of Kansas ex rel. S. M. Brewster*, attorney general. Argued by Mr. Ray Campbell for the plaintiffs in error, and by Mr. J. L. Hunt for the defendant in error.

No. 50. L. A. Westermann Company, petitioner *v. The Dispatch Printing Company*. Submitted by Mr. Curtie C. Williams for the

petitioner, and by Mr. Smith W. Bennett and Mr. Luther Day for the respondent.

No. 56. Mount Saint Mary's Cemetery Association, plaintiff in error, *v.* William C. Mullins. Argument commenced by Mr. William Moore for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 18, will be as follows: Nos. 56, 51, 53, 55, 57, 58, 59, 60 (and 61), 62 (and 63), and 64.

SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 18, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Bradley L. Wallace, of San Francisco, Cal.; J. Walter Cocke, of Waco, Tex.; H. B. Seay, of Dallas, Tex.; Frank P. Hellsell, of Seattle, Wash.; and G. Wright Arnold, of Seattle, Wash., were admitted to practice.

No. 260. Albert Palmer et al., plaintiffs in error, *v.* The State of Ohio. In error to the Supreme Court of the State of Ohio. Motion to affirm denied. Writ of error dismissed for want of jurisdiction, *sua sponte*. Opinion by Mr. Justice Clarke.

No. 21, Original. The State of Georgia, complainant, *v.* The Trustees of the Cincinnati Southern Railway and the Cincinnati, New Orleans & Texas Pacific Railway Company. Bill dismissed with costs. Opinion by Mr. Justice Holmes.

No. 336. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Fletcher Paper Company;

No. 337. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Island Mill Lumber Company;

No. 338. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Churchill Lumber Company;

No. 339. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Richardson Lumber Company; and

No. 340. Detroit & Mackinac Railway Company, plaintiff in error, *v.* Michigan Veneer Company. In error to the Supreme Court of the State of Michigan. Judgments affirmed with costs. Opinion by Mr. Justice Holmes.

No. 10. H. C. King, plaintiff in error, *v.* The Putnam Investment Company. In error to the Supreme Court of the State of Kansas. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 633. J. F. Lay et al., plaintiffs in error, *v.* R. C. Lay et al. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 41. G. L. Henderson et al., plaintiffs in error, *v.* Helen R. Ressor, or Helen R. Henderson, et al. In error to the Supreme Court of the State of Missouri. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Farrell v. O'Brien*, 199 U. S., 89; *Empire State-Idaho Mining Company v. Hanley*, 205 U. S., 225; *Goodrich v. Ferris*, 214 U. S., 71; *Brolan v. United States*, 236 U. S., 216. (2) *Louisville & Nashville R. R. Co. v. Melton*, 218 U. S., 36, 51-52; *Eastern Building & Loan Association v. Ebaugh*, 185 U. S., 114; *Pennsylvania Fire Insurance Co. v. Gold Issue Mining Co.*, 243 U. S., 93, 96; *Texas & New Orleans R. R. Co. v. Miller*, 221 U. S., 408, 416.

No. 42. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Mary O'Connor, as administratrix, etc. In error to the Supreme Court of the State of Wisconsin. Per curiam: Affirmed with costs upon the authority of *Seaboard Air Line v. Padgett*, 236 U. S., 668, 673; *Great Northern Ry. Co. v. Knapp*, 240 U. S., 464, 466; *Southern Ry. Co. v. Puckett*, 244 U. S., 571, 574.

No. 46. Edmund Penfold et al., executors, etc., et al., plaintiffs in error, *v.* Eugene M. Travis, as Comptroller of the State of New York. In error to the Surrogate's Court, New York County, State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 288 U. S., 982; *Bilby et al. v. Stewart*, 246 U. S., 255, 257; *Municipal Securities Corporation v. Kansas City*, 246 U. S., 63, 69; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S., 300; (2) *Farrell v. O'Brien*, 199 U. S., 89; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S., 225; *Goodrich v. Ferris*, 214 U. S., 71; *Brolan v. United States*, 236 U. S., 216.

No. 246. The Cincinnati Traction Company et al., plaintiffs in error, *v.* the City of Cincinnati. In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of *Consolidated Turnpike Co. v. Norfolk, etc., Railway Company*, 228 U. S., 982; *Bilby et al. v. Stewart*, 246 U. S., 255, 257; *Municipal Securities Corporation v. Kansas City*, 246 U. S., 63, 69; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S., 300.

No. —, Original. Ex parte In the matter of Robert H. Thorburn, petitioner. Motion for leave to file a petition for a writ of mandamus granted, and rule to show cause awarded returnable Monday, December 9 next.

No. 713. The Brennan Construction Company, petitioner, *v.* John L. Newbold. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 720. Thomas J. Mooney, petitioner, *v.* The People of the State of California. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

The Chief Justice also announced that the court will take a recess from Monday, the 25th instant, to Monday, December 9, next.

Nos. 67 and 68. F. Vitelli & Son, petitioners, *v.* The United States. Passed, on motion of Mr. Assistant to the Attorney General Todd for the petitioners.

No. 667. James A. Peterson, plaintiff in error, *v.* The United States of America;

No. 685. Jacob Frohwerk, plaintiff in error, *v.* The United States of America; and

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Assistant to the Attorney General Todd for the United States. -

No. —, Original. *Ex parte* In the matter of William F. Hudgings, petitioner. Motion for leave to file petition for a writ of *habeas corpus* submitted by Mr. Thomas A. Connolly in behalf of counsel for the petitioner.

No. 571. Seaboard Air Line Railway Company, petitioner, *v.* Mrs. Lessie Horton, administratrix, etc. Motion for supersedeas submitted by Mr. E. Marvin Underwood for the petitioner and motion granted, a bond for \$25,000 to be given within ten days, to be approved by clerk of this court.

No. 598. Butte & Superior Copper Company, Limited, appellant, *v.* Clark-Montana Realty Company et al. Motion to advance submitted by Mr. William Wallace, jr., for the appellant.

No. 55. Paul Appenzellar, plaintiff in error, *v.* Henry C. Conrad, associate judge, etc., et al. In error to the Supreme Court of the State of Delaware. Dismissed with costs, per stipulation.

No. 229. The Cleveland-Cliffs Iron Company, plaintiff in error, *v.* Township of Republic. In error to the Supreme Court of the State of Michigan. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 62. G. S. Nicholas & Company et al., petitioners, *v.* The United States; and

No. 63. Alexander D. Shaw & Company et al., petitioners, *v.* The United States. Passed, on motion of Mr. Assistant to the Attorney General Todd for the United States.

No. 723. William Wrigley, jr., Company, petitioner, *v.* L. P. Larson, jr., Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James R. Offield in behalf of Mr. Robert H. Parkinson, Mr. Isaac H. Mayer, and Mr. Wallace R. Lane for the petitioner and by Mr. Charles H. Aldrich and Mr. Frank F. Reed for the respondent.

No. 56. Mount Saint Mary's Cemetery Association, plaintiff in error, *v.* William C. Mullins. Argument continued by Mr. William Moore for the plaintiff in error, by Mr. Matthew A. Fyke for the defendant in error, and concluded by Mr. Clarence S. Palmer for the plaintiff in error.

No. 51. Edgar F. Luckenbach et al., petitioners, *v.* W. J. McCahan Sugar Refining Company et al. Argued by Mr. Roscoe H. Hupper for the petitioners, by Mr. J. Parker Kirlin for the respondent Insular Line, and by Mr. Lawrence Kneeland for the respondent W. J. McCahan Sugar Refining Company.

No. 53. North Pacific Steamship Company, appellant, *v.* Hall Brothers Marine Railway & Shipbuilding Company. Argument commenced by Mr. Jackson H. Ralston for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 19, will be as follows: Nos. 53, 57, 58, 59, 60 (and 61), 64, 47, 65, 69, and 70.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, NOVEMBER 19, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

A. Z. Patterson, of Jefferson City, Mo.; Morris H. Wolf, of Cleveland, Ohio; Ernest C. Glenney, of Chicago, Ill., and Albert J. De Lange, of Galveston, Tex., were admitted to practice.

No. 598. Butte & Superior Copper Company, Limited, appellant, *v.* Clark-Montana Realty Company et al. Motion to dismiss submitted by Mr. William Wallace, jr., in behalf of Mr. John P. Gray for the appellees in support of the motion, and by Mr. T. L. Chadbourne, Mr. K. R. Babbitt, and Mr. William Wallace, jr., for the appellant in opposition thereto.

No. 60. Herbert M. Sears, plaintiff in error, *v.* Inhabitants of the Town of Nahant, etc.; and

No. 61. Frederick R. Sears et al., plaintiffs in error, *v.* Inhabitants of the Town of Nahant, etc. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. B. E. Eames for the plaintiffs in error.

No. 53. North Pacific Steamship Company, appellant, *v.* Hall Brothers Marine Railway & Shipbuilding Company. Argument concluded by Mr. J. H. Ralston for the appellant, and case submitted by Mr. Warren Gregory and Mr. Allen L. Chickering for the appellee.

No. 57. Joseph Fernsterwald, plaintiff in error, *v.* Selma R. Burk. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, pursuant to the 16th rule, on motion of Mr. J. Kent Rawley for the defendant in error.

No. 58. Harvey Watters, plaintiff in error, *v.* The People of the State of Michigan. Submitted by Mr. Maurice B. Dean for the plaintiff in error. No appearance for the defendant in error.

No. 59. Cleve W. Van Dyke et al., plaintiffs in error, *v.* Arizona Eastern Railroad Company. Argued by Mr. William C. Prentiss for the plaintiffs in error, and by Mr. Charles L. Rawlins for the defendant in error.

No. 64. J. Homer Fritch, Incorporated, et al., plaintiffs in error, *v.* The United States. Argued by Mr. Assistant Attorney General Frier-son for the defendant in error, and case submitted by Mr. Edward J. McCutchen and Mr. Ira A. Campbell for the plaintiffs in error.

No. 47. James G. Petrie et al., plaintiffs in error, *v.* Nampa & Meridian Irrigation District. Argued by Mr. Oliver O. Haga for the plaintiffs in error, and by Mr. B. E. Stoutemyer for the defend-ant in error.

No. 65. Union Pacific Railroad Company, plaintiff in error, *v.* Public Service Commission of Missouri. Argument commenced by Mr. N. H. Loomis for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 20, will be as follows: Nos. 65, 69, 70, 15 (and 16), 71, 72, 73, 74, 75, and 76.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, NOVEMBER 20, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Howard C. Baldwin, of Detroit, Mich.; Perry B. Turpin, of Washington, D. C.; Alexander S. Drescher, of Brooklyn, N. Y.; George E. Brand, of Detroit, Mich.; Leonard K. Guiler, of Pittsburgh, Pa.; Frank Parker Ufford, of New York City; Maurice H. Winger, of Kansas City, Mo.; John A. Bussian, of Chicago, Ill.; and Charles C. Wilson, of Nyssa, Oreg., were admitted to practice.

No. 71. New Orleans, Mobile & Chicago Railroad Company, plaintiff in error, *v.* T. E. McCardle et al. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, on authority of counsel for the plaintiff in error.

No. 65. Union Pacific Railroad Company, plaintiff in error, *v.* Public Service Commission of Missouri. Argument continued by Mr. N. H. Loomis for the plaintiff in error, by Mr. A. Z. Patterson for the defendant in error, and concluded by Mr. N. H. Loomis for the plaintiff in error.

No. 69. Mills W. Barse, plaintiff in error, *v.* George W. Saul. Argued by Mr. Louis Marshall for the plaintiff in error and by Mr. F. P. Ufford for the defendant in error.

No. 70. Mrs. Rose Snyder, plaintiff in error, *v.* King County, Washington, et al. Argument commenced by Mr. G. Wright Arnold for the plaintiff in error. The court declined to hear counsel for the defendants in error.

No. 16. The United States, appellant, *v.* E. W. Bliss Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed on motion of Mr. Assistant to the Attorney General Todd for the appellant.

No. 15. E. W. Bliss Company, appellant, *v.* The United States. Argument commenced by Mr. George W. Field for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 21, will be as follows: Nos. 15, 72, 73, 74, 75, 76, 77, 78, 79, and 80.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, NOVEMBER 21, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Howard L. Kern, of New York City; W. Calvin Wells, of Jackson, Miss.; H. Stuart Stevens, of Hattiesburg, Miss.; W. P. Shinault, of Oxford, Miss.; Gilbert Bettman, of Cincinnati, Ohio; Elmer S. Chace, of Providence, R. I.; and Adel C. Harden, of San Diego, Cal., were admitted to practice.

No. 80. James H. Cochnower, appellant, *v.* The United States. Passed, on motion of Mr. Assistant to the Attorney General Todd, for the appellee.

No. 77. Willie M. Going, administratrix, etc., plaintiff in error, *v.* Norfolk & Western Railway Company. Submitted by Mr. W. L. Welborn for the plaintiff in error, and by Mr. Waller R. Staples, Mr. Theodore W. Reath, and Mr. Roy B. Smith for the defendant in error.

No. 15. E. W. Bliss Company, appellant, *v.* The United States. Argument continued by Mr. George W. Field for the appellant and concluded by Mr. Assistant to the Attorney General Todd for the appellee.

No. 72. D. Campbell, plaintiff in error, *v.* Annie Wadsworth et al. Argued by Mr. Samuel Herrick for the defendants in error, and case submitted by Mr. C. Dale Wolfe for the plaintiff in error.

No. 73. Robert F. Werk et al., etc., petitioners, *v.* F. Thomas Parker et al., etc. Argued by Mr. T. Hart Anderson for the petitioners and by Mr. John Weaver for the respondents.

No. 74. Pure Oil Company, plaintiff in error, *v.* The State of Minnesota. Argument commenced by Mr. Nathan H. Chase for the plaintiff in error and continued by Mr. Egbert S. Oakley for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 22, will be as follows: Nos. 74, 75, 76, 78, 79, 82, 83, 84, 85, and 87.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, NOVEMBER 22, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Roland Ellis, of Macon, Ga., Ele Stansbury, of Indianapolis, Ind., A. B. Hunt, of Roanoke, Va., G. A. Wingfield of Roanoke, Va., G. E. McCaskill, of Miami, Fla., and Ralph C. Thulin, of Dover, Mass., were admitted to practice.

No. 74. Pure Oil Company, plaintiff in error, *v.* The State of Minnesota. Argument continued by Mr. Egbert S. Oakley for the defendant in error, and concluded by Mr. Nathan H. Chase for the plaintiff in error.

No. 75. Cleveland-Cliffs Iron Company et al. *v.* The Arctic Iron Company. Argument commenced by Mr. A. C. Dustin for Cleveland-Cliffs Iron Company et al., continued by Mr. S. W. Shaul and Mr. C. C. Daniels for The Arctic Iron Company, and concluded by Mr. Horace Andrews for Cleveland-Cliffs Iron Company et al.

No. 76. Union Fish Company, petitioner, *v.* John W. Erickson. Submitted by Mr. G. S. Arnold and Mr. William Denman for the petitioner, and by Mr. Charles J. Heggerty for the respondent.

No. 78. William Allen Fisher, appellant, *v.* Newton Rule. Argued by Mr. Homer Guerry for the appellant, and by Mr. Samuel Herrick for the appellee.

No. 79. Jennie McCarty MacMath, administratrix, etc., appellant, *v.* The United States. Argued by Mr. William E. Russell for the appellant, and submitted by Mr. Assistant Attorney General Thompson for the appellee.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, NOVEMBER 25, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Joseph T. Watson, of Seattle, Wash.; Joseph F. Mulqueen, jr., of New York City; Harvey D. Jacobs, of Nashville, Tenn.; Joseph Mil-lenson, of Philadelphia, Pa.; Ralph C. Putnam, of Aurora, Ill.; Thomas F. Donovan, of Joliet, Ill.; Samuel A. Dew, of Kansas City, Mo.; Roger W. Cooley, of Grand Forks, N. Dak.; Abram Zoller, of Little Falls, N. Y.; David S. Vesey, of Fort Wayne, Ind.; Morgan B. Garlock, of New Hartford, N. Y.; William M. Morton, of St. Joseph, Mo.; Charles A. O'Connor, of Aurora, Ill.; Donald E. Bridg-man, of Minneapolis, Minn.; George S. Stewart, of Gary, Ind.; George F. Beatty, of Salina, Kans.; and W. Alfred Valentine, of Wilkes-Barre, Pa., were admitted to practice.

No. 69. Mills W. Barse, plaintiff in error, *v.* George W. Saul. In error to the Supreme Court of the State of New York. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Stewart v. City of Kansas City*, 239 U. S., 14; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S., 300; *Bilby et al. v. Stewart*, 246 U. S., 255, 257; (2) *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S., 225; *Goodrich v. Ferris*, 214 U. S., 71; *Brolan v. United States*, 236 U. S., 216.

No. 77. Willie M. Going, administratrix of Nathan W. Going, deceased, plaintiff in error, *v.* Norfolk & Western Railway Company. In error to the Supreme Court of Appeals of the State of Virginia. *Per curiam*: Affirmed upon the authority of *Seaboard Air Line v. Padgett*, 236 U. S., 668, 673; *Great Northern Ry. Co. v. Knapp*, 240 U. S., 464, 466; *Southern Ry. Co. v. Puckett*, 244 U. S., 571, 574. See also *Chicago, Milwaukee & St. Paul Ry. Co. v. O'Connor*, ad-ministratrix, etc. Decided November 18, 1918.

No. —, Original. *Ex parte* In the matter of William F. Hudg-ings, petitioner. Motion for leave to file petition for a writ of habeas

corpus granted, and a writ of habeas corpus awarded as prayed, returnable Monday, December 9, next.

No. 667. James A. Peterson, plaintiff in error, *v.* The United States;

No. 685. Jacob Frohwerk, plaintiff in error, *v.* The United States; and

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States. Motion to advance granted, and cases assigned for argument on Monday, January 6 next, after the cases heretofore assigned for that day.

No. 723. William Wrigley, Jr., Company, petitioner, *v.* J. P. Larson, Jr., Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. —, Original. Ex parte in the matter of Robert Weiss, petitioner. Motion for leave to file petition for a writ of habeas corpus and to admit petitioner to bail submitted by Mr. William Mayo Atkinson for the petitioner, with leave to Mr. Assistant to the Attorney General Todd to file opposition within one week.

No. 745. Standard Varnish Works *v.* Steamship "Bris," Rederiaktiebolaget, claimant. Motion to advance submitted by Mr. Julius J. Frank for Standard Varnish Works. Motion for a writ of certiorari to bring up the whole record and cause submitted by Mr. L. Russell Alden in behalf of Mr. Charles S. Haight for the Steamship "Bris," etc.

No. 158. The Delaware, Lackawanna & Western Railroad Company, appellant, *v.* The United States. Motion to remand submitted by Mr. Benjamin Carter for the appellant.

No. 636. John P. Schmitt and Martin Schmitt, etc., plaintiffs in error, *v.* John Shadrach, trustee, etc. Motion to dismiss or affirm or place on the summary docket submitted by Mr. W. A. Valentine and Mr. Edwin B. Morgan for the defendant in error in support of the motion and by Mr. Rush Trescott for the plaintiffs in error in opposition thereto.

No. 699. Jose Lopez Garcia, appellant, *v.* Orval P. Townshend, commanding officer, Camp Las Casas. Motion to advance submitted by Mr. Frederic D. McKenney in behalf of counsel for the appellant.

Nos. 545. and 546. Chesapeake & Ohio Railway Company, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John Galvin for the petitioner, and by Mr. Assistant to the Attorney General Todd and Mr. Assistant Attorney General Frierson for the respondent.

No. 707. Helen Welch, petitioner, *v.* John A. Daniels, guardian, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. A. B. Quinton, Mr. Eugene S. Quinton and Mr. George D. Rodgers for the petitioner.

No. 725. Monroe Building Company et al., petitioners, *v.* Frank Lawhead, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Max Kahn and Mr. Harrison Geer for the petitioner, and by Mr. George E. Brand for the respondent.

Adjourned until Monday, December 9, at 12 o'clock.

The day call for Monday, December 9, will be as follows: Nos. 666, 367, 370, 164 (and 165 and 166), 347, 398, 408, 664, 449 (and 450), and 479.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 9, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Henry Swartz, of New York City, Henry Rose Harriman, of Washington, D. C., Sam S. Bennet, of Albany, Ga., Herman H. Swift, of Columbus, Ga., A. Pratt Adams, of Savannah, Ga., Patrick J. Ryan, of St. Paul, Minn., Edwin L. Gluck, of New York City, Clarence P. Diepenbrock, of Red Wing, Minn., Charles J. Pretzman, of Columbus, Ohio, Walter H. Bender, of Milwaukee, Wis., Arthur D. Quaintance, of Denver, Colo., Homer L. Loomis, of New York City, Charles M. Bracelen, of New York City, H. D. Pillsbury, of San Francisco, Cal., Chauncey Depew Snow, of Washington, D. C., William Butt, of Blue Ridge, Ga., Lorenz Reich, jr., of New York City, Robert Cravens Shelley, of Boston, Mass., Richard F. White, of Alexandria, La., John S. Parker, of New York City, Edward Howard Fisher, of Philadelphia, Pa., James H. Hanley, of Omaha, Nebr., Raymond K. Dykema, of Detroit, Mich., Frank C. McKinney, of New York City, Edmund W. Pugh, of Los Angeles, Cal., George J. Hatfield, of San Francisco, Cal., Gabriel C. Duque, of Los Angeles, Cal., John W. Ogren, of Chicago, Ill., Joseph Linde, of New York City, Eugene C. Boom, of San Francisco, Cal., Gustav A. Buhrow, of Priest River, Idaho, George C. Snyder, of Delaware, Ohio, and Lawrence G. Brooks, of West Medford, Mass., were admitted to practice.

No. 47. James G. Petrie et al., plaintiffs in error, *v.* Nampa & Meridian Irrigation District. In error to the Supreme Court of the State of Idaho. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Clarke.

No. 74. Pure Oil Company, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. —, Original. State of Iowa, plaintiff, *v.* Abraham Slimmer, jr., et al. On motion for leave to file original bill. Motion for leave to file bill of complaint denied. Opinion by Mr. Justice Brandeis.

No. 29. Franz Tempel, plaintiff in error, *v.* The United States. In error to the District Court of the United States for the Northern District of Illinois. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 44. The United States, appellant, *v.* George B. Spearin; and

No. 45. George B. Spearin, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 51. Edgar F. Luckenbach et al., petitioners, *v.* W. J. McCahan Sugar Refining Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Brandeis.

No. 79. Jennie McCarty MacMath, administratrix of the goods, chattels, and credits which were of Thomas MacMath, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 17. Charles F. Ruddy, plaintiff in error, *v.* Herman J. Rossi. In error to the Supreme Court of the State of Idaho. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Separate opinion by Mr. Justice Holmes.

No. 49. W. S. Payne et al., plaintiffs in error, *v.* The State of Kansas ex rel. S. M. Brewster, Attorney General. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 113. Frank Nicoulin, plaintiff in error, *v.* John J. O'Brien. In error to the Court of Appeals of the State of Kentucky. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 27. United Drug Company, petitioner and appellant, *v.* Theohore Rectanus Company. On writ of certiorari to and appeal from the United States Circuit Court of Appeals for the Sixth Circuit. Appeal dismissed for want of jurisdiction. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Western District of Kentucky. Opinion by Mr. Justice Pitney.

No. 212. Alaska Pacific Fisheries, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed; and cause remanded to the District Court of the United States for the District of Alaska, Division No. 1. Opinion by Mr. Justice Van Devanter.

No. 378. W. C. Sterrett, as receiver of the Alabama Trust & Savings Company, petitioner, *v.* Second National Bank of Cincinnati, Ohio. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Ohio for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Day.

No. 7. The Buckeye Powder Company, plaintiff in error, *v.* E. I. du Pont de Nemours Powder Company et al. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Holmes.

No. 58. Harvey Watters, plaintiff in error, *v.* The People of the State of Michigan. In error to the Supreme Court of the State of Michigan. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 65. Union Pacific Railroad Company, plaintiff in error, *v.* Public Service Commission of Missouri. In error to the Supreme Court of the State of Missouri. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 310. Gulf Oil Corporation, petitioner, *v.* C. G. Lewellyn, Collector of Internal Revenue for the Twenty-Third District of Pennsylvania. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Western District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 15. E. W. Bliss Company, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree modified and affirmed; and cause remanded to the District Court of the United States for the Eastern District of New York. Opinion by Mr. Justice McKenna. Dissenting: Mr. Chief Justice White. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 59. Cleve W. Van Dyke et al., plaintiffs in error, *v.* Arizona Eastern Railroad Company. In error to the Supreme Court of the State of Arizona. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 288. Louis H. Orr, appellant, *v.* Henry M. Allen et al. Appeal from the District Court of the United States for the Southern District of Ohio. Decree affirmed with costs. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 636. John P. Schmitt and Martin Schmitt, etc., plaintiffs in error, *v.* John Shadrach, trustee, etc. In error to the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 4 of act of Congress of January 28, 1915, c. 22, 38 Stat., 803, 804.

No. 70. Mrs. Rose Snyder, plaintiff in error, *v.* King County, Washington, et al. In error to the Supreme Court of the State of Washington. Per curiam: Affirmed with costs upon the authority of *Magoun v. Illinois Trust & Savings Co.*, 170 U. S., 283, 293; *Atchison, Topeka & Santa Fe Ry. Co. v. Matthews*, 174 U. S., 96, 103; *Clark v. Kansas City*, 176 U. S., 114, 119; *Lindsley v. Natural Carbonic Gas Co.*, 220 U. S., 26, 30.

No. —, Original. Ex parte In the matter of Robert Weiss, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

No. 158. The Delaware, Lackawanna & Western Railroad Company, appellant, *v.* The United States. Motion to remand for additional findings granted.

No. 598. Butte & Superior Copper Company, Limited, appellant, *v.* Clark-Montana Realty Company et al. Motion to advance granted, and case assigned for argument on Monday, January 6, next, after the cases heretofore assigned for that day.

No. 598. Butte & Superior Copper Company, Limited, appellant, *v.* Clark-Montana Realty Company et al. Further consideration of the motion to dismiss herein postponed to the hearing on the merits.

No. 745. Standard Varnish Works, *v.* Steamship "Bris," Rederiaktiebolaget, claimant. Motion to advance granted, and case assigned for argument after case No. 479.

No. 745. Standard Varnish Works, *v.* Steamship "Bris," Rederiaktiebolaget, claimant. Motion for a writ of certiorari to bring up the entire record and cause denied.

No. 699. Jose Lopez Garcia, appellant, *v.* Orval P. Townshend, commanding officer, Camp Las Casas. Motion to advance denied.

No. 545. Chesapeake & Ohio Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 546. Chesapeake & Ohio Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 707. Helen Welch, petitioner, *v.* John A. Daniels, guardian, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 725. Monroe Building Company et al., petitioners, *v.* Frank Lawhead, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

Mr. Assistant to the Attorney General Todd presented Mr. Alex C. King, of Georgia, as Solicitor General of the United States. The Chief Justice said:

“Mr. Solicitor General, it gives us pleasure to welcome you in your official capacity to this bar, of which you are already a member, and to which, indeed, you are by no means a stranger. I am glad, moreover, to say that in the discharge of our responsibilities we are to have the aid of the enlightened and faithful performance by you of the duties with which you are charged. Let the commission be recorded.”

No. 320. Emanuel Baltzer et al., plaintiffs in error, *v.* The United States of America; and

No. 321. William J. Head, plaintiff in error, *v.* The United States of America. Restored to the docket on motion of Mr. Solicitor General King for the defendant in error.

No. 367. The United States of America, plaintiff in error, *v.* C. T. Doremus; and

No. 370. W. S. Webb et al. *v.* The United States of America. Passed, on motion of Mr. Solicitor General King for The United States.

No. 763. Frank W. Blair, plaintiff in error, *v.* The United States of America;

No. 764. Allan A. Templeton, plaintiff in error, *v.* The United States of America;

No. 765. Thomas P. Phillips, plaintiff in error, *v.* The United States of America;

No. 766. Frank W. Blair, appellant, *v.* The United States of America et al.;

No. 767. Allan A. Templeton, appellant, *v.* The United States of America et al.; and

No. 768. Thomas P. Phillips, appellant, *v.* The United States of America et al. Motion to advance submitted by Mr. Solicitor General King for the United States.

No. 14. Missouri Pacific Railway Company, plaintiff in error, *v.* The State of Kansas. Leave granted to file brief of Mr. Everett P. Wheeler and Mr. Eliot Tuckerman, *as amici curiæ*, on motion of Mr. Everett P. Wheeler in that behalf.

No. 370. W. S. Webb et al., *v.* The United States of America. Leave granted to file brief herein as *amicus curiæ*, on motion of Mr. Frans E. Lindquist in that behalf.

No. —, Original. Ex parte In the matter of Jacob Frohwerk, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Frans E. Lindquist for the petitioner.

No. 739. I. Tucker Burr et al., partners, etc., appellants, *v.* The City of Columbus, Ohio, et al. Motion to advance for hearing with No. 715 submitted by Mr. Alex Britton in behalf of Mr. Joseph S. Clark for the appellants.

No. 1, original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Joint motion of State of Georgia and Tennessee Copper Company for leave to file stipulation that the further progress of said cause, so far as relates to the Tennessee Copper Company, be suspended and continued in accordance with the terms of the stipulation submitted by Mr. Clifford Walker for the complainant.

No. 493. H. C. Draper, plaintiff in error, *v.* Georgia, Florida & Alabama Railway Company. Motion to dismiss submitted by Mr. T. S. Hawes for the defendant in error in support of the motion.

No. 630. J. W. Ferguson and J. C. Blanchard, appellants, *v.* Babcock Lumber & Land Company. Motion to dismiss or affirm submitted by Mr. John Franklin Shields and Mr. A. Hall Johnston for the appellee in support of the motion, and by Mr. Mark W. Brown and Mr. F. A. Sondley for the appellants in opposition thereto.

No. 634. Ernest E. Richards and Nugent J. Flynn, partners, etc., et al., plaintiffs in error, *v.* Mina M. Oakley. Motion to dismiss submitted by Mr. William S. Hogsett and Mr. Mont T. Prewitt for the defendant in error in support of the motion, and by Mr. John G. Park for the plaintiffs in error in opposition thereto.

No. 517. I. F. Searle et al., petitioners, *v.* Mechanics Loan & Trust Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit dismissed on motion of counsel for the petitioners.

Nos. 742 and 743. John J. Shea, petitioner, *v.* The United States of America. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Rufus S. Day in behalf of Mr. Edmund H. Moore, Mr. Sherman T. McPherson, and Mr. Edward P. Moulinier for the petitioner, and by Mr. Solicitor General King and Mr. Assistant Attorney General Porter for the respondents.

No. 747. Henry C. Hall, administrator, etc., petitioner, *v.* William A. Paine et al. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts submitted by Mr. Alexander Britton in behalf of Mr. William R. Sears for the petitioner, and by Mr. Robert M. Morse and Mr. William P. Everts for the respondent.

No. 749. Nels O. Hultberg, petitioner, *v.* Frideborg A. Anderson. Petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Eighth Circuit submitted by Mr. Frank Van Sant in behalf of Mr. Silas H. Strawn and Mr. Harris F. Williams for the petitioner, and by Mr. Charles Blood Smith, Mr. Axel Chytraus, Mr. John J. Healy, and Mr. E. Allen Frost for the respondent.

No. 750. *Ex parte* In the matter of Cloyd H. Duncan, petitioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Cloyd H. Duncan *pro se*.

No. 769. Richland Steamship Company, petitioner, *v.* Buffalo Dry Dock Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank S. Bright in behalf of Mr. Harvey D. Goulder for the petitioner, and by Mr. Thomas C. Burke, Mr. Hermon A. Kelley, and Mr. George W. Cottrell for the respondent.

No. 25, original. *Ex parte* In the matter of Whitney Steamboat Corporation, petitioner. Argued by Mr. Alexander S. Bacon for the petitioner, and by Mr. Peter S. Carter for the respondent.

No. 27, original. *Ex parte* In the matter of William F. Hudgings, petitioner. Argued by Mr. Jesse Fuller, jr., for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 666. Detroit United Railway, appellant, *v.* City of Detroit. Argument commenced by Mr. Elliott G. Stevenson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 10, will be as follows: Nos. 666, 164 (and 165 and 166), 347, 398, 408, 664, 449 (and 450), 479, 745, and 375.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 10, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John R. Slattery, of San Francisco, Cal.; Frank M. Lowe, of Kansas City, Mo.; Clarence Bishop Smith, of New York City; Robinson Leech, of New York City; Floyd H. Wingo, of Stuttgart, Ark.; Joseph R. Crocker, of Ozark, Ark.; Houston Wood, of Dallas, Tex.; Raymond S. Oakes, of Portland, Me.; and D. H. Hardy, of San Antonio, Tex., were admitted to practice.

No. 27, Original. *Ex parte*: In the matter of William F. Hudgings, Petitioner. Motion that petitioner be admitted to bail granted upon giving bond in the sum of one thousand dollars, said bond to be approved by a Judge of the District Court of the United States for the Eastern District of New York.

No. 666. Detroit United Railway, appellant, *v.* City of Detroit. Argument continued by Mr. Allan A. Fraser for the appellee, and concluded by Mr. Richard I. Lawson for the appellee.

No. 164. The United States of America and Mrs. Josephine Brown, appellants, *v.* New Orleans Pacific Railway Company et al.;

No. 165. The United States of America and William R. Turner, appellants, *v.* New Orleans Pacific Railway Company et al.; and

No. 166. The United States of America and Stephen N. Grant, appellants, *v.* New Orleans Pacific Railway Company et al. Two hours allowed for the argument of this case, and three counsel allowed to argue for appellees. Argument commenced by Mr. Assistant Attorney General Kearful for the United States, and continued by Mr. Mark Norris, Mr. F. C. Hudson, and Mr. H. H. White for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 11, will be as follows: Nos. 164 (and 165 and 166), 347, 398, 408, 664, 449 (and 450), 479, 745, 375, and 43.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 11, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert M. Switzer, of Gallipolis, Ohio; Walter D. Makepeace, of Waterbury, Conn.; Robert Southall Bright, of Philadelphia, Pa.; Richard H. Wiswall, of Salem, Mass.; Gustavus Plantou Middleton, of Philadelphia, Pa.; Edmund Harris Lewis, of Syracuse, N. Y.; Edgar Munson, of Williamsport, Pa.; Junius Greene Adams, of Asheville, N. C.; John Putman Dinsmore, of Greenville, Tex.; John Ambrose Tyson, of Greenwood, Miss.; Leslie Craven, of Bellingham, Wash.; Alfred M. Craven, of Washington, D. C.; and Robert B. Murphey, of Los Angeles, Cal., were admitted to practice.

No. 164. The United States of America and Mrs. Josephine Brown, appellants, *v.* New Orleans Pacific Railway Company et al.;

No. 165. The United States of America and William R. Turner, appellants, *v.* New Orleans Pacific Railway Company et al.; and

No. 166. The United States of America and Stephen N. Grant, appellants, *v.* New Orleans Pacific Railway Company et al. Argument concluded by Mr. Assistant Attorney General Kearful for the appellants.

No. 347. John E. Reade, appellant, *v.* The United States of America et al. Submitted by Mr. O. T. Richey for the appellant, and by Mr. Assistant Attorney General Brown for the appellees.

No. 398. Rebecca Coon, plaintiff in error, *v.* James Kennedy. Argued by Mr. James D. Carpenter, jr., for the plaintiff in error, and by Mr. Isidor Kalisch for the defendant in error.

No. 408. The United States of America, plaintiff in error, *v.* Homer Gudger. Argued by Mr. Assistant Attorney General Frierson for the plaintiff in error, and by Mr. Joseph S. Graydon for the defendant in error.

No. 664. The Hebe Company et al., appellants, *v.* Norman E. Shaw, Secretary, etc., et al. Argument commenced by Mr. Charles E. Hughes for the appellants, and continued by Mr. Louis D. Johnson for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 12, will be as follows: Nos. 664, 449 (and 450), 479, 745, 375, 43, 80, 60 (and 61), 81, and 82.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 12, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

L. de Grove Potter, of New York City; Philip G. Horan, of Omaha, Nebr.; Cadwallader J. Collins, of Norfolk, Va.; N. E. McNeill, of Pawnee, Okla.; and Charles H. Haines, of Denver, Colo., were admitted to practice.

No. —, Original. Ex parte In the matter of James Thomson Muir, master of the British Admiralty transport "Gleneden," petitioner. Motion for leave to file petition for writ of prohibition or writ of mandamus and for leave to counsel for the British Embassy to file brief and make oral argument as amici curiæ submitted by Mr. Frederic R. Coudert in behalf of counsel for the petitioner, and counsel for the British Embassy.

No. 664. The Hebe Company et al., appellants, *v.* Norman E. Shaw, Secretary, etc., et al. Argument continued by Mr. Louis D. Johnson and Mr. Charles J. Pretzman for the appellees, and concluded by Mr. Charles E. Hughes for the appellants.

No. 449. Allanwilde Transport Corporation *v.* Vacuum Oil Company; and

No. 450. Allanwilde Transport Corporation *v.* A. W. Pidwell. Argued by Mr. Oscar D. Duncan for Allanwilde Transport Corporation, and by Mr. John C. Prizer for Vacuum Oil Company and A. W. Pidwell.—

No. 479. International Paper Company, petitioner, *v.* the schooner "Gracie D. Chambers," etc. Argument commenced by Mr. William C. Cannon for the petitioner, and continued by Mr. Robinson Leech for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 13, will be as follows: Nos. 479, 745, 375, 43, 80, 60 (and 61), 81, 82, 83, and 84.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 13, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Max Michael, of Athens, Ga., David Henry Riddle, of Talladega, Ala., and P. H. Hayes, of Phoenix, Ariz., Charles Dudley Marshall, of Rock Island, Ill., and James Bennett McLaughlin, jr., of New York City, were admitted to practice.

No. 89. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. C. F. R. Ogilby in behalf of counsel.

No. 84. William J. Hogarty, plaintiff in error, *v.* Philadelphia & Reading Railway Company. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 479. International Paper Company, petitioner, *v.* the Schooner Grace D. Chambers, etc. Argument concluded by Mr. Robinson Leech for the respondent.

No. 745. Standard Varnish Works *v.* Steamship Bris, Rederiaktiebolaget, claimant. Argument commenced by Mr. Julius J. Frank for Standard Varnish Works, continued by Mr. Everett P. Wheeler for Standard Varnish Works, by Mr. Clarence Bishop Smith for the steamship Bris, etc., and concluded by Mr. Everett P. Wheeler for Standard Varnish Works.

No. 375. Charles B. Shaffer, appellant, *v.* E. B. Howard, State auditor, etc., et al. Argued by Mr. Malcolm E. Rosser for the appellant, and by Mr. S. P. Freeling for the appellees.

No. 43. D. N. Fink et al., trustees, etc., plaintiffs in error, *v.* The Board of County Commissioners of Muskogee County, Okla., et al. Argument commenced by Mr. Charles B. Rogers for the plaintiffs in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 16, will be as follows: 43, 80, 60 (and 61), 81, 82, 83, 85, 87, 88, and 90.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 16, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Louis Irving Reichner, of Philadelphia, Pa., Harold L. Bodamer, of Buffalo, N. Y., James Lewis Malcolm, of Catskill, N. Y., Lewis Harlow Van Dusen, of Philadelphia, Pa., Horace Stern, of Philadelphia, Pa., George Cameron Beach, of New York City, Chester Atwood Dunham, of Boston, Mass., Roscoe Stewart, of Springfield, Mo., George Ernest Ballhorn, of Milwaukee, Wis., Ross A. Collins, of Jackson, Miss., H. B. Manard, of Kansas City, Mo., Charles M. McWilliams, of Houston, Texas, Maurice Hirsch, of Houston, Texas, John H. Ray, jr., of Minneapolis, Minn., Harold O. Mulks, of Chicago, Ill., John William Heancy, of Santa Barbara, Cal., Horace Egleston Vedder, of Los Angeles, Cal., Harry A. Wishard, of Los Angeles, Cal., R. Hunter McQuiston, of New York City, William L. Coley, of East St. Louis, Ill., James E. White, of Chicago, Ill., and James J. Forstall, of Chicago, Ill., were admitted to practice.

No. 72. D. Campbell, plaintiff in error, *v.* Annie Wadsworth, Maggie Beamore, and Nancy Alexander. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clarke.

No. 40. Wells Fargo & Company, plaintiff in error, *v.* The State of Nevada. In error to the Supreme Court of the State of Nevada. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

The Chief Justice announced the following orders of the court:

No. 347. John E. Reade, appellant, *v.* The United States of America et al. Appeal from the District Court of the United States for the District of Arizona. Per curiam: Affirmed upon the authority of *Ex parte Mirzam*, 119 U. S., 584; *Riggins v. United States*, 199 U. S.,

547; In re Lincoln, 202 U. S., 178. See *Ex parte Glasgow*, 223 U. S., 709.

No. 493. H. C. Draper, plaintiff in error, *v. Georgia, Florida & Alabama Railway Company*. In error to the Court of Appeals of the State of Georgia. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. at L., 726.

No. 630. J. W. Ferguson et al., appellants, *v. Babcock Lumber & Land Company*. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S., 165; *Hull v. Burr*, 234 U. S., 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S., 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S., 439, 444.

No. —, Original. *Ex parte* In the matter of James Thompson Muir, Master, etc., petitioner. Motion for leave to file petition for a writ of prohibition or a writ of mandamus herein granted, and a rule to show cause awarded returnable Monday, January 6, next. Leave granted counsel for the British Embassy to file a printed brief herein and to take part in the oral argument.

No. —, Original. *Ex parte* In the matter of Jacob Frohwerk, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. 739. I. Tucker Burr et al., partners, etc., appellants, *v. The City of Columbus, Ohio, et al.* Motion to advance for hearing with case No. 715 granted.

No. 763. Frank W. Blair, plaintiff in error, *v. The United States*;

No. 764. Allan A. Templeton, plaintiff in error, *v. The United States*;

No. 765. Thomas O. Phillips, plaintiff in error, *v. The United States*;

No. 766. Frank W. Blair, appellant, *v. The United States et al.*;

No. 767. Allan A. Templeton, appellant, *v. The United States et al.*; and

No. 768. Thomas O. Phillips, appellant, *v. The United States et al.* Motion to advance granted, and cases assigned for argument on Monday, January 6th, next, after the cases hereto fore assigned for that day.

Nos. 742 and 743. John J. Shea, petitioner, *v. The United States*. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 747. Henry C. Hall, Administrator, etc., petitioner, *v.* William A. Paine et al. Petition for a writ of certiorari to the Superior Court of the State of Massachusetts denied.

No. 749. Nels O. Hultberg, petitioner, *v.* Frideborg A. Anderson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eight Circuit denied.

No. 750. Ex parte In the matter of Cloyd H. Duncan, petitioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 769. Richland Steamship Company, petitioner, *v.* Buffalo Dry Dock Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that the Court will take a recess from Monday, the 23d instant, to Monday, January 6 next.

No. 211. The Baltimore & Ohio Southwestern Railroad Company, plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General King, Mr. Assistant to the Attorney General Todd, and Mr. Assistant Attorney General Frierson for the defendant in error in support of the motion, and by Mr. George Hoadly, Mr. Judson Harmon, Mr. Edward Colston, Mr. A. W. Goldsmith, and Mr. Oscar Stoehr for the plaintiff in error in opposition thereto.

No. 320. Emanuel Baltzer et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the District of South Dakota. Judgment reversed, upon confession of error; and cause remanded for further proceedings in accordance with law, on motion of Mr. Solicitor General King for the defendant in error.

No. 321. William J. Head, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of South Dakota. Judgment reversed, upon confession of error; and cause remanded for further proceedings in accordance with law, on motion of Mr. Solicitor General King for the defendant in error.

No. 667. James A. Peterson, plaintiff in error, *v.* The United States of America. Motion to reassign submitted by Mr. Henry E. Davis in behalf of counsel for the plaintiff in error, the Solicitor General concurring.

No. 685. Jacob Frohwerk, plaintiff in error, *v.* The United States of America; and

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States of America. Motion to reassign submitted by Mr. Solicitor General King for the defendant in error.

No. 123. Wirt K. Winton, Administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Motion to remand submitted by Mr. William W. Scott for the appellants in support of the motion, and by Mr. Solicitor General King and Mr. Assistant Attorney General Thompson for the appellees in opposition thereto.

No. 124. J. S. Bounds, Attorney in fact for T. A. Bounds, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 125. John London, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 126. Walter S. Field et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 127. J. J. Beckham, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 128. William N. Vernon, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws; and

No. 129. Kate A. Howe, Executrix, etc., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws. Motion to remand submitted by Mr. Guion Miller for the appellants in support of the motion, and by Mr. Solicitor General King and Mr. Assistant Attorney General Thompson for the appellee in opposition thereto.

No. 576. Georgia State Board of Examiners of Optometry et al., plaintiffs in error, *v.* Kennon Mott. Motion to dismiss submitted by Mr. Owens Johnson for the defendant in error in support of the motion, and by Mr. James K. Hines for the plaintiffs in error in opposition thereto.

No. 7, Original. State of Arkansas, complainant, *v.* State of Mississippi; and

No. 171. Rust Land & Lumber Company, plaintiff in error, *v.* Ed. Jackson et al. Motion to set these cases for hearing at the same time submitted by Mr. James Jackson Forstall in behalf of counsel.

No. 19, Original. The State of North Dakota, complainant, *v.* The State of Minnesota. Motion for leave to file, open, and publish testimony herein and for a division of expense of printing the record submitted by Mr. Frank Lyon in behalf of counsel for the complainant.

No. 525. Western Union Telegraph Company, appellant, *v.* The Nashville, Chattanooga & St. Louis Railway. Motion to dismiss or affirm submitted by Mr. W. T. S. Curtis in behalf of Mr. Henry C. Peeples and Mr. Claude Waller for the appellee in support of the motion, and by Mr. Rush Taggart and Mr. William L. Clay for the appellant in opposition thereto.

No. —, Original. Ex parte In the matter of Sam Sylvester, petitioner. Motion for leave to file petition for writ of habeas corpus submitted by Mr. Harold O. Mulks for the petitioner.

No. 88. D. W. Rousney, plaintiff in error, *v.* M. L. Patterson. In Error to the Supreme Court of the State of Oklahoma. Dismissed with costs, pursuant to the tenth rule.

No. 522. Oklahoma City Mill & Elevator Company, petitioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph W. Bailey for the petitioner.

No. 537. Henry A. Wise, Trustee, et al., petitioners, *v.* The Commonwealth of Virginia et al. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. Henry A. Wise for the petitioners, and by Mr. J. D. Hank, jr., for the respondents.

No. 753. Sam Orr Tribble, petitioner, *v.* Southern Express Company. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina submitted by Mr. Ernest F. Cochran for the petitioner, and by Mr. Robert C. Alston for the respondent.

No. 43. D. N. Fink et al., Trustee, etc., plaintiffs in error, *v.* The Board of County Commissioners of Muskogee County, Oklahoma, et al. Argument continued by Mr. Charles B. Rogers for the plaintiffs in error, by Mr. S. P. Freeling for the defendants in error, and concluded by Mr. Charles B. Rogers for the plaintiffs in error.

No. 80. James H. Cochnower, appellant, *v.* The United States. Argued by Mr. William E. Russell for the appellant, and submitted by Mr. Assistant Attorney General Thompson and Mr. Harvey D. Jacob for the appellee.

No. 60. Herbert M. Sears, plaintiff in error, *v.* Inhabitants of the Town of Nahant, etc.; and

No. 61. Frederick R. Sears et al., plaintiffs in error, *v.* Inhabitants of the Town of Nahant, etc. Argued by Mr. Burton E. Eames for the plaintiffs in error, and by Mr. Robert G. Dodge for the defendants in error.

No. 81. Truth A. Milner, Executrix, etc., et al., appellants, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, pursuant to the sixteenth rule, on motion of Mr. Assistant Attorney General Kearful for the appellee.

No. 82. Maude L. Andrews, Administratrix, etc., plaintiff in error, *v.* Virginian Railway Company. Argument commenced by Mr. A. P. Staples for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 17, will be as follows: Nos. 82, 83, 85, 87, 90, 91, 92 (and 93, 94, and 95), 96, 97, and 98.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, DECEMBER 17, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

David E. McLaughlin, of Plentywood, Mont.; John Vernou Bouvier, jr., of New York City; John A. Hellenthal, of Juneau, Alaska; Bernard F. Gerson, of Montgomery, Ala.; Maurice B. Gluck, of New York City; George John Ritchie, of Wilkes-Barre, Pa.; William L. Hill, of Gainesville, Fla.; James Hardin Peterson, of Lakeland, Fla.; William Morton Carden, of Malvern, Ark.; H. Ralph Cover, of Westminster, Md.; and Eugene Amos Walling, of Detroit, Mich., were admitted to practice.

No. 91. The Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* D. A. McNeill, as Administrator of W. G. McNeill, deceased. In error to the Supreme Court of the State of Mississippi. Dismissed with costs, on authority of the plaintiffs in error.

No. 92. The Arkadelphia Milling Company, appellant, *v.* St. Louis Southwestern Railway Company et al. Submitted by Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the appellant, and by Mr. J. M. Moore and Mr. George A. McConnell for the appellees.

No. 93. Joseph F. Hasty et al., etc., appellants, *v.* St. Louis Southwestern Railway Company et al. Submitted by Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the appellants, and by Mr. J. M. Moore and Mr. George A. McConnell for the appellees.

No. 94. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Submitted by Mr. J. M. Moore and Mr. George A. McConnell for the appellants, and by Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the appellee.

No. 95. St. Louis Southwestern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Submitted by Mr. J.

M. Moore, and Mr. George A. McConnell for the appellants, and by Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. D. H. Cantrell, and Mr. J. F. Loughborough for the appellee.

No. 97. F. A. Hooper et al., plaintiffs in error, *v.* W. S. Kingsbury, as Surveyor General, etc. Submitted by Mr. Robert T. Devlin and Mr. Charles C. Boynton for the plaintiffs in error, and by Mr. U. S. Webb for the defendant in error.

No. 98. Frank H. Ayers et al., plaintiffs in error, *v.* W. S. Kingsbury, as Surveyor General, etc. Submitted by Mr. Robert T. Devlin and Mr. Charles C. Boynton for the plaintiffs in error, and by Mr. U. S. Webb for the defendant in error.

No. 82. Maude L. Andrews, administratrix, etc., plaintiff in error, *v.* Virginian Railway Company. Argument continued by Mr. Harvey T. Hall and Mr. G. A. Wingfield for the defendant in error, and concluded by Mr. A. B. Hunt for the plaintiff in error.

No. 83. George J. Weigle, appellant, *v.* Curtice Brothers Company. Argued by Mr. Walter H. Bender for the appellant, and by Mr. H. O. Fairchild for the appellee.

No. 85. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Joseph Maucher. Argument commenced by Mr. William D. McHugh for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 18, will be as follows: Nos. 85, 87, 90, 96, 99, 100, 101, 102, 104, and 105.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, DECEMBER 18, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert M. Calfee, of Cleveland, Ohio; Charles Julian Block, of Macon, Ga.; Hulette Fuqua Aby, of Tulsa, Okla.; Frank A. Warner, of Warnerville, Nebr.; Joseph H. San, of New York City; Dale B. Loomis, of Memphis, Tenn.; Charles A. Pollock, of Fargo, N. Dak.; Robert Guy Smith, of Dallas, Tex.; James R. Bussey, of Forrest City, Ark.; John M. Maguire, of Cambridge, Mass.; A. Morris Crosby, of Newton, Mass.; and John C. MacMahon, of Manila, P. I.; were admitted to practice.

No. 99. Edward H. Chavelle, as trustee, etc., appellant, *v.* Washington Trust Company. Submitted by Mr. E. C. Hughes for the appellant, and by Mr. James B. Murphy for the appellee.

No. 100. Andy Sunday et al., appellants, *v.* Sidney T. Mallory et al. Submitted by Mr. Assistant Attorney General Kearful, Mr. Joseph C. Stone, and Mr. J. H. Langley for the appellants, and by Mr. J. W. Zevely for the appellees.

No. 101. Bernard Flexner, plaintiff in error, *v.* John Farson, jr., et al.; etc. Submitted by Mr. J. S. Laurent for the plaintiff in error, and by Mr. Harry P. Weber and Mr. George W. Miller for the defendants in error.

No. 102. Charlie Middleton, plaintiff in error, *v.* Texas Power & Light Company. Submitted by Mr. Charles B. Braun for the plaintiff in error, and by Mr. Harry P. Lawther and Mr. Alexander Pope for the defendant in error.

No. 104. Candelaria Cordova, plaintiff in error, *v.* Walter B. Grant, sole executor, etc. Submitted by Mr. F. G. Morris for the plaintiff in error, and by Mr. Walter B. Grant and Mr. T. J. Beall for the defendant in error.

No. 105. J. W. Selsor, plaintiff in error, *v.* The State of Louisiana. Submitted by Mr. J. D. Wilkinson, Mr. A. L. Alexander, and Mr. T.

Alexander for the plaintiff in error. No brief filed for the defendant in error.

No. 85. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Joseph Maucher. Argument concluded by Mr. Philip E. Horan for the defendant in error.

No. 87. Union Dry Goods Company, plaintiff in error, *v.* The Georgia Public Service Corporation. Argued by Mr. Roland Ellis for the defendant in error, and submitted by Mr. R. Douglas Feagin and Mr. Rudolph S. Wimberly for the plaintiff in error.

No. 90. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* John Sealy et al., partners, etc. Argued by Mr. Maurice H. Winger for the defendants in error, and submitted by Mr. Joseph M. Bryson for the plaintiff in error.

No. 96. A. S. Cohn, petitioner, *v.* R. A. Malone, trustee of A. S. Cohn, bankrupt. Argued by Mr. Sam S. Bennet for the respondent and submitted by Mr. J. R. Pottle for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 19, will be as follows: Nos. 106, 107, 108, 109, 111, 112, 114, 115, 116, and 117 (and 118).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 19, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Herbert C. Smyth, of New York City; Max Lippman, of New York City; and William E. Lee, of Moscow, Idaho, were admitted to practice.

No. 106. The City of Englewood, plaintiff in error, *v.* The Denver & South Platte Railway Company. Submitted by Mr. L. F. Twitchell for the plaintiff in error, and by Mr. Fred Farrar for the defendant in error.

No. 108. Magnolia Bank, plaintiff in error, *v.* The Board of Supervisors of Pike County, Mississippi. Submitted by Mr. Edward Mayes for the plaintiff in error, and by Mr. R. H. Thompson for the defendant in error.

No. 111. Chicago Great Western Railroad Company, plaintiff in error, *v.* L. W. Basham, Administrator, etc. Submitted by Mr. George H. Carr, Mr. Fred P. Carr, and Mr. O. M. Brockett for the plaintiff in error, and by Mr. Thomas A. Cheshire and Mr. Howard J. Clark for the defendant in error.

No. 114. Philip La Tourette, plaintiff in error, *v.* Fitz Hugh McMaster, as Insurance Commissioner, etc. Submitted by Mr. John L. McLaurin and Mr. Wendell P. Barker for the plaintiff in error, with leave to counsel for the defendant in error to file brief within one week.

No. 115. The Bank of California, National Association, plaintiff in error, *v.* E. D. Roberts, as Treasurer of the State of California. Submitted on the transcript of record in this case and the briefs heretofore filed and submitted in case No. 262.

No. 107. Mary Cavanaugh, et al., appellants, *v.* Ben F. Looney, etc., et al. Argued by Mr. Joseph Manson McCormick for the appellants, and submitted by Mr. B. F. Looney and Mr. C. M. Cureton for the appellees.

No. 109. Illinois Central Railroad Company, et al., plaintiffs in error, *v.* L. A. Anderson. Argued by Mr. Robert V. Fletcher for the plaintiffs in error, and submitted by Mr. Julian C. Wilson and Mr. Walter P. Armstrong for the defendant in error.

No. 112. Erie Railroad Company, plaintiff in error, *v.* Walter G. Hamilton, County Treasurer, etc., as Public Administrator, etc. Argued by Mr. William C. Cannon for the plaintiff in error, and by Mr. Herbert C. Smyth for the defendant in error.

No. 116. Merchants Exchange of St. Louis, plaintiff in error, *v.* The State of Missouri at the relation of John T. Barker, Attorney General. Argued by Mr. Percy Werner for the plaintiff in error, and by Mr. John T. Gose for the defendant in error.

No. 117. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska. Argument commenced by Mr. J. A. Hellenthal for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 20, will be as follows: Nos. 117, 118, 62 (and 63), 119, 120, 121, 122, 123 (to 129), 131, and 89.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, DECEMBER 20, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Carl Frederick Cook, of Seattle, Wash.; Arthur J. Abbott, of Los Angeles, Cal.; F. L. Devereux, of New York City; Frank S. Appleman, of Washington, D. C.; Charles A. Strong, of San Francisco, Cal.; Dana B. Hellings, of Buffalo, N. Y.; Clifford Mooers, of Seward, Alaska; and Warner C. Pyne, of New York City, were admitted to practice.

No. 121. George S. Fullinwider, appellant, *v.* The Southern Pacific Railroad Company of California et al. Submitted by Mr. Fred Beall for the appellant and by Mr. Charles R. Lewers and Mr. William F. Herrin for the appellees.

No. 89. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. Submitted by Mr. Henley C. Booth, Mr. William R. Harr, Mr. Charles H. Bates, Mr. C. F. R. Ogilby, and Mr. William F. Herrin for the plaintiff in error and by Mr. P. H. Hayes for the defendant in error.

No. 117. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska. Argument continued by Mr. J. A. Hellenthal for the plaintiff in error, by Mr. George B. Grigsby for the defendant in error, and concluded by Mr. J. A. Hellenthal for the plaintiff in error.

No. 118. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska. Argued by Mr. J. A. Hellenthal for the plaintiff in error and by Mr. George B. Grigsby for the defendant in error.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, DECEMBER 23, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, and Mr. Justice Brandeis.

George B. Martin, of Catlettsburg, Ky.; Joseph E. Evans, of Ogden, Utah; Clarence M. Booth, of Twin Falls, Idaho; Charles M. Harriss, of Versailles, Ky.; Camden R. McAtee, of Louisville, Ky.; W. E. Utterback, of Durant, Okla.; and Charles A. Hill, of Fresno, Cal., were admitted to practice.

No. 221. *International News Service, petitioner, v. The Associated Press.* On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Pitney. Dissenting: Mr. Justice Brandeis. Concurring in part: Mr. Justice Holmes and Mr. Justice McKenna. (Mr. Justice Clarke took no part in the consideration or decision of this case.)

No. 361. *John Dillon v. Strathearn Steamship Company, Claimant of Steamship "Strathearn."* On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit. Certificate dismissed. Opinion by Mr. Justice Day.

No. 392. *Erik Sandberg, Carl Jansson, S. K. Benjaminsen, and Peter Peranen, petitioners, v. John McDonald, Claimant of the British Ship "Talus."* On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of Alabama. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 393. *Paul Neilson et al., petitioners, v. Rhine Shipping Company, Claimant of the Sailing Ship "Rhine";* and

No. 394. *John Hardy et al., petitioners, v. Shepard & Morse Lumber Company, Claimant of the Barkentine "Windrush."* On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgments affirmed with costs, and causes remanded to the District Court of the United States for the Eastern

District of New York. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 75. Cleveland-Cliffs Iron Company and William G. Mather *v.* The Arctic Iron Company. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Certificate dismissed. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Clarke.

The Chief Justice also announced the following orders of the Court:

No. 211. The Baltimore & Ohio Southwestern Railroad Company, plaintiff in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Sixth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, chapter 448, 39 Stat. L. 726.

No. 576. Georgia State Board of Examiners of Optometry et al., plaintiffs in error, *v.* Kennon Mott. In error to the Supreme Court of the State of Georgia. Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat. L. 726. See *Marshall v. Dye*, 231 U. S. 250; *Stewart v. Kansas City*, 239 U. S. 14.

No. 634. Ernest E. Richards and Nugent J. Flynn, partners, etc., et al., plaintiffs in error, *v.* Mina M. Oakley. In error to the Supreme Court of the State of Missouri. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *Consolidated Turnpike Co. v. Norfolk, etc., R. R. Co.*, 228 U. S. 596, 599; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300; *Bilby et al. v. Stewart*, 246 U. S. 255, 257; (2) *Goodrich v. Ferris*, 214 U. S. 71, 81; *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Brolan v. United States*, 236 U. S. 216.

No. 525. Western Union Telegraph Company, appellant, *v.* Nashville, Chattanooga & St. Louis Railway Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *a.* Section 128 of the Judicial Code; *Louisville and Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300; *b.* *Equitable Assurance Co. v. Brown*, 187 U. S. 308, 314; *Deming v. Carlisle Packing Co.*, 226 U. S. 102; *Consolidated Turnpike v. Norfolk, etc., Ry. Co.*, 228 U. S. 596, 600; (2) *Pensacola Telegraph Co. v. Western Union Telegraph Co.*, 96 U. S. 1; *Western Union Telegraph Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239; *Western Union Telegraph Co.*

v. Pennsylvania R. R. Co., 195 U. S. 540; *Western Union Telegraph Co. v. Richmond*, 224 U. S. 160; *Louisville & Nashville R. R. Co. v. Western Union Telegraph Co.*, 237 U. S. 300. See *Western Union Telegraph Co. v. Louisville and Nashville R. R. Co.*, 244 U. S. 649. See also *Western Union Telegraph Co. v. Louisville & Nashville R. R. Co.*, dismissed per curiam November 4, 1918.

No. 60. Herbert M. Sears, plaintiff in error, *v. Inhabitants of the Town of Nahant, etc.* In error to the Superior Court of the State of Massachusetts. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *McCain v. Des Moines*, 174 U. S. 168, 181; *Western Union Tel. Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239, 243; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216; (3) *Consolidated Turnpike Co. v. Norfolk, etc., R. Co.*, 228 U. S. 596, 599; *Cuyahoga River Power Company v. Northern Realty Co.*, 244 U. S. 300, 304; *Bilby et al. v. Stewart*, 246 U. S. 255, 257.

No. 61. Frederick R. Sears et al., plaintiffs in error, *v. Inhabitants of the Town of Nahant, etc.* In error to the Supreme Court of the State of Massachusetts. *Per curiam*: Dismissed for want of jurisdiction upon the authority of (1) *McCain v. Des Moines*, 174 U. S. 168, 181; *Western Union Tel. Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239, 243; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley* 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216; (3) *Consolidated Turnpike Co. v. Norfolk, etc., R. Co.*, 228 U. S. 596, 599; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300, 304; *Bilby et al. v. Stewart*, 246 U. S. 255, 257.

No. —, Original. Ex parte In the matter of Sam Sylvester, petitioner. Motion for leave to file a petition for a writ of habeas corpus denied.

No. 667. James A. Peterson, plaintiff in error, *v. The United States of America*;

No. 685. Jacob Frohwerk, plaintiff in error, *v. The United States of America*; and

No. 714. Eugene V. Debs, plaintiff in error, *v. The United States of America*. Motion to reassign granted, and the cases reassigned for argument on Monday, January 27 next, at the head of the call for that day.

No. 7, Original. State of Arkansas, complainant, *v. State of Mississippi*. Motion to set this case for argument granted, and the case assigned for Monday, March 3 next.

No. 171. Rust Land & Lumber Company, plaintiff in error, *v.* Ed. Jackson et al. Ordered that this case be assigned for argument immediately after No. 7, Original.

No. 19, Original. The State of North Dakota, complainant, *v.* The State of Minnesota. Motion for leave to file, open, and publish the testimony taken herein granted. Motion for an order dividing the expense of printing the record denied without prejudice.

No. 522. Oklahoma City Mill & Elevator Company, petitioner, *v.* Pampa Grain Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 537. Henry A. Wise, Trustee, et al., petitioners, *v.* The Commonwealth of Virginia et al. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 753. Sam Orr Tribble, petitioner, *v.* Southern Express Company. Petition for a writ of certiorari to the Supreme Court of the State of South Carolina denied.

Nos. 123 to 129. Wirt K. Winton, Administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choc-taws. Motion to remand these cases for additional findings postponed to the hearing of the cases on the merits.

No. 548. Conrad Kornmann, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of South Dakota. Judgment reversed upon confession of error, and cause remanded for further proceedings, on motion of Mr. Solicitor General King for the defendant in error.

No. 417. D. G. McKinley et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. Motion to advance submitted by Mr. Solicitor General King for the petitioner.

No. 233. Thomas D. Robinson, plaintiff in error, *v.* Wesley Steele et al. Motion to advance or place on the summary docket submitted by Mr. F. Carter Pope for the plaintiff in error.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company;

No. 217. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company; and

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad Company. Motion for leave to file brief

herein as *amicus curiæ* submitted by Mr. Charles W. Needham in that behalf.

No. 599. Minerals Separation, Ltd., et al., petitioners, *v.* Butte & Superior Mining Company. Application for an order to restrain the respondent from disposing of its assets pending action on the mandate of this court submitted by Mr. Frederic D. McKenney, Mr. Henry D. Williams, Mr. William Houston Kenyon, Mr. Lindley M. Garrison, Mr. Garrett W. McEnerney, and Mr. Odell W. McConnell for the petitioners in support of the application, and by Mr. Thomas F. Sheridan, Mr. Frederick P. Fish, Mr. J. Edgar Bull, Mr. Thomas L. Chadbourne, and Mr. Kurnal R. Babbitt for the respondent in opposition thereto. Motion to advance submitted by Mr. Frederic D. McKenney for the petitioners.

No. 10, Original. The State of South Dakota, complainant, *v.* Charles B. Collins. Motion to set case for hearing submitted by Mr. Samuel Herrick for the complainant.

No. —, Original. *Ex parte* In the matter of Daniel O'Connell et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. Joseph L. Tepper for the petitioners.

No. 781. Bosch Magneto Company, petitioner, *v.* Samuel W. Rushmore. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Abram I. Elkus for the petitioner, and by Mr. George C. Dean and Mr. Irving M. Obriecht for the respondent.

No. 233. Thomas D. Robinson, plaintiff in error, *v.* Wesley Steele et al. Motion to dismiss or affirm submitted by Mr. William F. Hall for the defendants in error in support of the motion, and by Mr. Julian C. Dowell and Mr. F. Carter Pope for the plaintiff in error in opposition thereto.

No. 350. American Packing Company, plaintiff in error, *v.* Paul Luketa and Sam Luketa. Motion to dismiss submitted by Mr. Benjamin F. Ohnick for the defendants in error in support of the motion, and by Mr. Alpheus Byers for the plaintiff in error in opposition thereto.

No. 752. Joseph P. O'Toole et al., petitioners, *v.* Robert L. Meysenburg et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Marion C. Early for the petitioner.

No. 762. Charles Faison et al., petitioners, *v.* Forrest Adair et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Samuel A. T. Watkins and Mr. James E. White for the petitioners, and by Mr. William H. Terrell for the respondent.

No. 771. James S. Yeates, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John R. Cooper for the petitioner, and by Mr. Assistant Attorney General Porter and Mr. William C. Herron for the respondent.

No. 772. Charles T. Williams, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John R. Cooper for the petitioner, and by Mr. Assistant Attorney General Porter and Mr. William C. Herron for the respondent.

No. 773. Pontiac, Oxford & Northern Railroad Company et al., petitioners, *v.* Michigan Railroad Commission et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Harrison Geer for the petitioners, and by Mr. Alex. J. Groesbeck for the respondents.

No. 780. Michael Peyser, petitioner, *v.* Elizabeth J. Grauten. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Maurice B. Gluck for the petitioner.

Adjourned until Monday, January 6, 1919, at 12 o'clock.

The day call for Monday, January 6, will be as follows: Nos. 130, 217, 404, 345, 437, 438, 548, 715 (and 749), 598, and 763 (to 768).

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 6, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Mr. Attorney General Gregory addressed the court as follows:

"May it please the court, it is with pain and sadness that I announce the death of Colonel Theodore Roosevelt, twenty-sixth President of the United States. He held that high office from the year 1901 to 1909.

"Colonel Roosevelt passed away at Oyster Bay, Long Island, at a quarter-past 4 o'clock this morning. The end was not anticipated, except by his physician, his family, and a few personal friends. He died in his sixty-first year.

"I move that the court adjourn as a mark of respect to the memory of this distinguished statesman, soldier, and citizen."

The Chief Justice responded:

"Mr. Attorney General, the court sorrows to learn of the death of the great and conspicuous public servant whose services the country has lost, and it is consoling to be able to give that mark of respect and veneration to his memory which is suggested by your motion, and the court will transact no business to-day, but stand adjourned until to-morrow."

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 7, will be as follows: Nos. 130, 217, 404, 345, 437, 438, 548, 715 (and 749), 598, and 763 (to 768).

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 7, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John L. Templeman, of Butte, Mont.; Arthur T. Johnson, of Boston, Mass.; Albert Edward Carter, of Oakland, Cal.; Jacob E. Dittus, of Chicago, Ill.; Leon Alexander Berezniak, of Chicago, Ill.; Thomas M. Lillard, of Topeka, Kans.; George C. Van Dusen, of Minneapolis, Minn.; Arthur I. Zeiger, of Pittsburgh, Pa.; Harry M. Lewy, of New York City; Henry U. Ess, jr., of Kansas City, Mo.; Alfred M. Cordell, of Chicago, Ill.; Charles E. Cochran, of Portland, Oreg.; Freeman Thomas Eagleson, of Columbus, Ohio; Leslie Burke Denning, of Columbus, Ohio; Henry J. Booth, of Columbus, Ohio; J. B. Eldridge, of Boise, Idaho; Charles E. Roach, of Friendship Heights, Md.; H. A. Toulmin, jr., of Dayton, Ohio; and V. R. Shackelford, of Orange, Va., were admitted to practice.

No. 112. Erie Railroad Company, plaintiff in error, *v.* Walter G. Hamilton, county treasurer of the county of Rockland, as public administrator of the goods, chattels, and credits of Stephen Mistschook, deceased. In error to the Supreme Court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Clarke.

No. 87. Union Dry Goods Company, plaintiff in error. *v.* The Georgia Public Service Corporation. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 33. Clarence W. Turner, appellant, *v.* The United States and Creek Nation of Indians. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 85. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Joseph Maucher. In error to the Supreme Court of the State of Nebraska. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 90. Missouri, Kansas & Texas Railway Company, plaintiff in error, *v.* John Sealy, Sealy Hutchings, George Sealy, jr., and H. O. Stein, partners as Hutchings, Sealy & Company. In error to the Supreme Court of the State of Kansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 116. Merchants Exchange of St. Louis, plaintiff in error, *v.* The State of Missouri at the relation of John T. Barker, Attorney General. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 3. Daniel J. Leary, appellant, *v.* The Mayor and Aldermen of the City of Jersey City and the City Collector of the City of Jersey City. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice Pitney.

No. 218. Guerini Stone Company, petitioner, *v.* P. J. Carlin Construction Company. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment of the United States Circuit Court of Appeals for the First Circuit reversed with costs, and judgment of the District Court of the United States for Porto Rico affirmed with costs and interest; and cause remanded to the said District Court. Opinion by Mr. Justice Pitney.

No. 235. The United States of America, plaintiff in error, *v.* Edward M. Comyns and Carlos L. Byron. In error to the District Court of the United States for the Western District of Washington. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 78. William Allen Fisher, appellant, *v.* Newton Rule. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of Nebraska. Opinion by Mr. Justice Van Devanter.

No. 37. Abe Danciger et al., doing business as Danciger Brothers, plaintiffs in error, *v.* D. G. Cooley. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 76. Union Fish Company, petitioner, *v.* John W. Erickson. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of California. Opinion by Mr. Justice Day.

No. 83. George J. Weigle, appellant, *v.* Curtice Brothers Company. Appeal from the District Court of the United States for the Western District of Wisconsin. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 101. Bernard Flexner, plaintiff in error, *v.* John Farson, jr., William Farson, and John A. McElroy, doing business as partners under the name and style of Farson, Son & Company. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 106. The City of Englewood, plaintiff in error, *v.* The Denver & South Platte Railway Company. In error to the Supreme Court of the State of Colorado. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 664. The Hebe Company and Carnation Milk Products Company, appellants, *v.* Norman E. Shaw, Secretary of Agriculture of Ohio, and Thomas C. Gault, Chief of Bureau of Dairy and Foods of the Board of Agriculture of Ohio. Appeal from the District Court of the United States for the Southern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Day, Mr. Justice Van Devanter, and Mr. Justice Brandeis.

No. 54. Farson, Son & Company, plaintiff in error, *v.* Joe S. Bird, as county treasurer of Shelby County, Alabama. In error to the Supreme Court of the State of Alabama. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 82. Maude L. Andrews, administratrix of A. W. Andrews, deceased, plaintiff in error, *v.* Virginian Railway Company. In error to the Roanoke County Circuit Court, State of Virginia. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

No. 14. The Missouri Pacific Railway Company, plaintiff in error, *v.* The State of Kansas. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 97. F. A. Hooper, Myron T. Dusingbury, C. C. Hartke, et al., plaintiffs in error, *v.* W. S. Kingsbury, as surveyor general and ex officio register of the State land office of the State of California. In error to the District Court of Appeal, First Appellate District of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) *Messenger v. Kingsbury*, 158 Cal. 611;

People *v.* California Fish Co., 166 Cal. 576; People et al. *v.* Banning Co., 166 Cal. 635; (2) Equitable Life Assurance Society *v.* Brown, 187 U. S. 308, 314; Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 596, 600; Manhattan Life Ins. Co. *v.* Cohen, 234 U. S. 123, 137; (3) Campbell *v.* Wade, 132 U. S. 34; Gonzales *v.* French, 164, U. S. 338, 345; Banning Co. *v.* California, 240 U. S. 142, 154.

No. 98. Frank H. Ayers, Norman O. Anderson, William A. Anderson, et al., plaintiffs in error, *v.* W. S. Kingsbury, as surveyor general and ex officio register of the State land office of the State of California. In error to the District Court of Appeal, First Appellate District of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Messenger *v.* Kingsbury, 158 Cal. 611; People *v.* California Fish Co., 166 Cal. 576; People et al. *v.* Banning Co., 166 Cal. 635; (2) Equitable Life Assurance Society *v.* Brown, 187 U. S. 308, 314; Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 596, 600; Manhattan Life Ins. Co. *v.* Cohen, 234 U. S. 123, 137; (3) Campbell *v.* Wade, 132 U. S. 34; Gonzales *v.* French, 164 U. S. 338, 345; Banning Co. *v.* California, 240 U. S. 142, 154.

No. 99. Edward H. Chavelle, as trustee in bankruptcy of Washington Steel & Bolt Company, Bankrupt, appellant, *v.* Washington Trust Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 4 of the act of Congress of January 28, 1915, c. 22, 38 Stat. 803, 804. See also, John P. Schmidt and Martin Schmidt, etc., *v.* John Shadrach, trustee; decided November 25, 1918.

No. 100. Andy Sunday, David Sunday, Nicholas Sunday, et al., appellants, *v.* Sidney T. Mallory, Ed J. Brennan, Joseph H. Brennan, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Per curiam: Reversed with costs, except as to the one-sixth interest conveyed by Andy Sunday as to which judgment is affirmed, upon the authority of Brader *v.* James, 246 U. S. 88; Talley *v.* Burgess, 246 U. S. 104. And see David *v.* Youngken, 250 Fed. 208; Harris *v.* Bell, 250 Fed. 209.

No. 105. J. W. Selsor, plaintiff in error, *v.* The State of Louisiana. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) the act of Congress of March 1, 1913, c. 90, 37 Stat. at L. 699; (2) Seaboard Air Line Ry. *v.* North Carolina, 245 U. S. 298, 303; Clark Distilling Co. *v.* Western Maryland Ry. Co., 242 U. S. 311, 325.

No. 108. Magnolia Bank, plaintiff in error, *v.* The Board of Supervisors of Pike County, Mississippi. In error to the Supreme

Court of the State of Mississippi. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat. at L. 726.

No. 109. Illinois Central Railroad Company and James Stone and W. E. Stone, sureties, plaintiffs in error, *v.* L. A. Anderson. In error to the Supreme Court of the State of Mississippi. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat. at L. 726. Petition for writ of certiorari denied.

No. 233. Thomas D. Robinson, plaintiff in error, *v.* Wesley Steele and John C. Kennedy. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat. at L., 726.

No. 350. American Packing Company, plaintiff in error, *v.* Paul Luketa and Sam Luketa. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat. at L., 726.

No. —, original. Ex parte in the matter of Daniel O'Connell et al., petitioners. Motion for leave to file a petition for a writ of mandamus herein denied.

No. 10, original. The State of South Dakota, complainant, *v.* Charles B. Collins. Motion to fix a day for the hearing of this cause granted, and the case assigned for Monday, March 3 next, after the cases heretofore assigned for that day.

No. 417. D. G. McKinley et al., plaintiffs in error, *v.* The United States of America. Motion to advance granted, and case assigned for argument on Monday, March 3 next, after the cases heretofore assigned for that day.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. Motion to advance granted, and case assigned for argument on Monday, March 3 next, after the cases heretofore assigned for that day.

No. 599. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Motion to advance granted, and case assigned for argument on Monday, March 3 next, after the cases heretofore assigned for that day.

No. 599. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Motion for a restraining order herein denied.

No. 752. Joseph P. O'Toole et al., petitioners, *v.* Robert L. Meysenburg et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 762. Charles Faison et al., petitioners, *v.* Forrest Adair et al. Petition for a writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 771. James S. Yeates, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 772. Charles T. Williams, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 773. Pontiac, Oxford & Northern Railroad Company et al., petitioners, *v.* The Michigan Railroad Commission et al. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 781. Bosch Magneto Company, petitioner, *v.* Samuel W. Rushmore. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 4. The United States, plaintiff in error, *v.* Harvey C. Shauver. In error to the District Court of the United States for the Eastern District of Arkansas. Dismissed, on motion of Mr. Solicitor General King for the plaintiff in error.

No. 124. J. S. Bounds, attorney in fact for T. A. Bounds, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 125. John London, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 126. Walter S. Field et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 127. J. J. Beckham, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 128. William N. Vernon, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws; and

No. 129. Katie A. Howe, executrix, etc., appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws. Motion to dismiss or affirm submitted by Mr. Solicitor General King for the appellees in support of the motion, and by Mr. Guion Miller for the appellant in opposition thereto.

No. 168. The United States, appellant, *v.* The Purcell Envelope Company. Motion for an order on the Court of Claims to make and certify findings of fact submitted by Mr. Solicitor General King for the appellant in support of the motion, with leave to Mr. C. F. R. Ogilby for the appellee to file brief on or before Friday next.

No. 585. The United States of America, appellant, *v.* The Southern Pacific Company et al. Motion to advance submitted by Mr. Solicitor General King for the appellant.

No. 456. Matthew T. Chapman et al., petitioners, *v.* John A. Winthroath. Motion to advance submitted by Mr. Solicitor General King

in behalf of counsel for the petitioners. Leave granted the United States to file a memorandum herein on motion of Mr. Solicitor General King in that behalf.

No. 1, original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Joint motion of The State of Georgia and Ducktown Sulphur, Copper & Iron Company for leave to file stipulation herein, etc., submitted by Mr. William L. Frierson in behalf of counsel.

No. —, original. *Ex parte* In the matter of F. A. Wagner, trading as The American Mechanical Toy Company, et al., petitioners. Motion for leave to file petition for a writ of mandamus submitted by Mr. H. A. Toulmin, jr., for the petitioner.

No. 287. The Federal Gas & Fuel Company, plaintiff in error, *v.* The City of Columbus, Ohio. Motion to dismiss or affirm submitted by Mr. Henry L. Scarlett for the defendant in error in support of the motion, and by Mr. Henry A. Williams, Mr. L. B. Denning, and Mr. Freeman T. Eagleson for the plaintiff in error in opposition thereto.

No. 122. Bluford Wilson et al., receivers, etc., plaintiffs in error, *v.* Neal Godby. In error to the Appellate Court for the Second District of the State of Illinois. Dismissed per stipulation.

No. 763. Frank W. Blair plaintiff in error, *v.* The United States of America;

No. 764. Allan A. Templeton, plaintiff in error, *v.* The United States of America;

No. 765. Thomas P. Phillips, plaintiff in error, *v.* The United States of America;

No. 766. Frank W. Blair, appellant, *v.* The United States of America et al;

No. 767. Allan A. Templeton, appellant, *v.* The United States of America et al.; and

No. 768. Thomas P. Phillips, appellant, *v.* The United States of America et al. Reassigned for argument on Monday, January 27, after the cases heretofore assigned for that day, on motion of Mr. Solicitor General King for the defendant in error and appellees.

No. 531. J. H. Reeves, trustee, etc., petitioner, *v.* York Engineering & Supply Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Cecil H. Smith, Mr. J. A. L. Wolfe, and Mr. J. D. Williamson for the petitioner, and by Mr. N. C. Abbott for the respondent.

No. 650. David F. Mitchell, petitioner, *v.* Harry Mason et al. Petition for a writ of certiorari to the Supreme Court of the State of Florida submitted by Mr. David F. Mitchell pro se, and by Mr. Alex. St. Clair-Abrams for the respondents.

No. 754. Joseph A. Murray, petitioner, *v.* H. E. Ray, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Rufus C. Thayer for the petitioner, and by Mr. J. H. Peterson for the respondent.

No. 770. Elbridge Hanecy, petitioner, *v.* James W. Taylor, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Elbridge Hanecy pro se, and by Mr. Alvin H. Culver for the respondent.

No. 783. Olof N. Tevander et al., petitioners, *v.* Eleanor M. Ruysdael. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Silas H. Strawn and Mr. Edward W. Everett for the petitioners, and by Mr. Albert Fink for the respondent.

No. 785. Sarah Bressler, petitioner, *v.* Mary C. Ludwig and Henry W. Ludwig. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Vinton Pike for the petitioner, and by Mr. H. C. Brome for the respondents.

No. 786. Western Union Telegraph Company, petitioner, *v.* Mary E. Preston. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. W. B. Linn and Mr. H. B. Gill for the petitioner.

No. 792. Albert J. Galen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William Wallace, jr., Mr. Charles Donnelly, and Mr. M. S. Gunn for the petitioner.

No. 28, original. Ex parte In the matter of James Thomson Muir, Master, etc., petitioner. Argument commenced by Mr. John M. Woolsey for the petitioner, continued by Mr. F. R. Coudert as amicus curiae, and by Mr. Homer L. Loomis for the respondent, and concluded by Mr. Howard Thayer Kingsbury as amicus curiae.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company; and

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad Company. Argument commenced by Mr. Jacob E. Dittus for the plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 8, will be as follows: Nos. 130 (and 404), 217, 345, 437 (and 438), 715 (and 739), 598, 62 (and 63), 119, 120, and 123 (to 129).

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 8, 1918.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

The Chief Justice said:

“Gentlemen of the bar, the funeral of Mr. Roosevelt takes place to-day. The two Houses of Congress have adjourned and, following an order of the President, the departments of the Government will be closed. With these things in mind, the court feels that it can not transact public business to-day. It has, therefore, determined to adjourn until to-morrow morning, not only as an additional manifestation of its sense of the loss which the country has suffered, but also as an indication that, at least in spirit, its members will, in unison with all his countrymen, sorrowfully follow his remains to their last resting place.”

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 9, will be as follows: Nos. 130 (and 404), 217, 345, 437 (and 438), 715 (and 739), 598, 62 (and 63), 119, 120, and 123 (to 129).

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 9, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

L. F. Adamson, of Salt Lake City, Utah, Durlin S. Benedict, of Washington, D. C., and G. Gale Gilbert, of Mount Vernon, Ill., were admitted to practice.

No. 314. Great Northern Railway Company et al., plaintiffs in error, *v.* Minneapolis Civic & Commerce Association et al. Leave granted to temporarily withdraw original exhibits, on motion of Mr. Charles Donnelly in behalf of counsel.

No. 145. J. S. Mullen et al., plaintiffs in error, *v.* Malinda Pickens et al.; and

No. 146. L. V. Mullen et al., plaintiffs in error, *v.* Anderson Gardner et al. Passed, to be restored to the call pursuant to section 9 of rule 26, on motion of Mr. F. W. Clements, in behalf of counsel.

No. 292. Bluefields Steamship Company, Limited, to the use of Elmer E. Wood, ancillary receiver, plaintiff in error, *v.* United Fruit Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Dismissed, per stipulation.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company; and

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad Company. Argument continued by Mr. Jacob E. Dittus for the plaintiff in error and appellant, by Mr. Ralph M. Shaw for the appellee in No. 404, and concluded by Mr. Ode L. Rankin for the plaintiff in error and appellant. No appearance for the defendant in error in No. 130.

No. 217. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Argument commenced by Mr. Rush Taggart for the appellant, continued by Mr. Charles W. Needham for the Interstate Commerce Commission, by special leave, and concluded by Mr. J. DuPratt White for the appellee.

No. 345. Abraham L. Sugarman, plaintiff in error, *v.* The United States of America. Argued by Mr. John Lord O'Brian for the defendant in error, and submitted by Mr. Seymour Stedman and Mr. T. E. Lattimer for the plaintiff in error.

No. 437. Charles T. Schenck, plaintiff in error, *v.* The United States of America; and

No. 438. Elizabeth Baer, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Henry John Nelson for the plaintiffs in error; and continued by Mr. John Lord O'Brian for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 10, will be as follows: Nos. 437 (and 438), 715 (and 739), 598, 62 (and 63), 119, 120, 123 (to 129), 131, 132, and 134.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 10, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alfred T. Geisler, of Cincinnati, Ohio, was admitted to practice.

No. 154. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, plaintiff in error, *v.* The C. L. Merrick Company. Motion to pass to be heard with case No. 659 submitted by Mr. John L. Erdall for the plaintiff in error.

No. 628. James A. Keown, petitioner, *v.* Mary E. Keown et al. Motion for leave to proceed in forma pauperis submitted by Mr. J. E. Raker for the petitioner.

No. 131. Talbot Darby Bragg, plaintiff in error, *v.* R. S. Weaver et al. Passed, on account of sickness of counsel.

No. 134. The New York Central Railroad Company, successor, etc., plaintiff in error, *v.* Anna C. Porter, for herself, etc., et al. Submitted by Mr. Robert E. Whalen for the plaintiff in error and by Mr. Merton E. Lewis and Mr. Clarence Aiken for the defendant in error.

No. 437. Charles T. Schenck, plaintiff in error, *v.* The United States of America; and

No. 438. Elizabeth Baer, plaintiff in error, *v.* The United States of America. Argument continued by Mr. John Lord O'Brian for the defendant in error and concluded by Mr. Henry J. Gibbons for the plaintiffs in error.

No. 715. The Columbus Railway, Power & Light Company, appellant, *v.* The City of Columbus, Ohio et al.; and

No. 739. I. Tucker Burr et al., partners, etc., appellants, *v.* The City of Columbus, Ohio, et al. Argued by Mr. Joseph S. Clark for the appellants and by Mr. Henry L. Scarlett for the appellees.

No. 598. Butte & Superior Copper Company, Limited, appellant, *v.* Clarke-Montana Realty Company et al. Two hours allowed each side in the argument of this case. Argument commenced by Mr. William Wallace, jr., for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 13, will be as follows: Nos. 598, 62 (and 63), 119, 120, 123 (to 129), 132, 136, 137, 138, and 139.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 13, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Dorrance Dibell Snapp, of Joliet, Ill.; Walter Bernard Milkman, of Brooklyn, New York City; Christie Benet, of Columbia, S. C.; Frank B. Coleman, of St. Louis, Mo.; Ruth Letitia Halpenny, of Washington, D. C.; Snowden M. Leftwich, of Dallas, Tex.; Griffith R. Harsh, of Birmingham, Ala.; Ralph Davis, of Memphis, Tenn.; and Donald Claude Dobbins, of Champaign, Ill., were admitted to practice.

No. 89. Southern Pacific Company, plaintiff in error, *v.* Frank R. Stewart. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the District of Arizona for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice McKenna and Mr. Justice Clarke.

No. 96. A. S. Cohn, petitioner, *v.* R. A. Malone, trustee of A. S. Cohn, bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Georgia. Opinion by Mr. Justice McReynolds.

No. 107. Mary Cavanaugh and James Cavanaugh, appellants, *v.* Ben F. Looney, attorney general of the State of Texas, and the Board of Regents of the University of the State of Texas. Appeal from the District Court of the United States for the Northern District of Texas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 398. Rebecca Coon, plaintiff in error, *v.* James Kennedy. In error to the Court of Errors and Appeals of the State of New Jersey. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 357. The United States of America, plaintiff in error, *v.* Dan Hill. In error to the District Court of the United States for the Southern District of West Virginia. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice McReynolds and Mr. Justice Clarke.

No. 666. Detroit United Railway, appellant, *v.* City of Detroit. Appeal from the District Court of the United States for the Eastern District of Michigan. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Day. Dissenting: Mr. Justice Clarke, Mr. Justice Holmes, and Mr. Justice Brandeis.

No. 104. Candelaria Cordova, plaintiff in error, *v.* Walter B. Grant, sole executor of the estate of Frank B. Cotton, deceased. In error to the District Court of the United States for the Western District of Texas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 449. Allanwilde Transport Corporation *v.* Vacuum Oil Company; and

No. 450. Allanwilde Transport Corporation *v.* A. W. Pidwell. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Questions certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 479. International Paper Company, petitioner, *v.* The Schooner *Gracie D. Chambers*, her tackle, etc.; Florence G. Payne, claimant. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McKenna.

No. 745. Standard Varnish Works *v.* Steamship *Bris*; Rederiaktiebolaget, claimant. On a certificate from the United States Circuit Court of Appeals for the Second Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice McKenna.

No. 43. D. N. Fink and O. J. Fleming, as trustees, etc., plaintiffs in error, *v.* The Board of County Commissioners of Muskogee County, Oklahoma, et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 80. James H. Cochnower, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed and cause re-

manded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McKenna.

No. 121. George S. Fullinwider, appellant, *v.* The Southern Pacific Railroad Company of California et al. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs and cause remanded to the District Court of the United States for the Southern District of California. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 287. Federal Gas & Fuel Company, plaintiff in error, *v.* City of Columbus, Ohio. In error to the Supreme Court of the State of Ohio. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.* (228 U. S., 596, 599); *Municipal Securities Corporation v. Kansas City* (246 U. S., 63, 69); *Cuyahoga River Power Co. v. Northern Realty Co.* (244 U. S., 300, 304); *Bilby et al. v. Stewart* (246 U. S., 255, 257).

No. —, Original. *Ex parte* In the matter of F. A. Wagner, trading as The American Mechanical Toy Company, et al. Motion for leave to file petition for a writ of mandamus herein granted, and a rule to show cause awarded returnable on Monday, March 3 next.

No. 1, Original. The State of Georgia, complainant, *v.* Tennessee Copper Company et al. Leave granted to file the stipulations entered into by the parties to this case, and appropriate orders entered in pursuance thereof.

No. 168. The United States, appellant, *v.* The Purcell Envelope Company. Motion to remand for additional findings denied, without foreclosing the power of the Court to make such order hereafter on its own motion if so advised.

No. 456. Matthew T. Chapman et al., petitioners, *v.* John A. Winthrop. Motion to advance denied.

No. 585. The United States of America, appellant, *v.* The Southern Pacific Company et al. Motion to advance granted, and the case assigned for argument on Monday, March 3d next, after the cases heretofore assigned for that day.

No. 531. J. H. Reeves, Trustee, etc., petitioner, *v.* York Engineering & Supply Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 650. David F. Mitchell, petitioner, *v.* Harry Mason et al. Petition for a writ of certiorari to the Supreme Court of the State of Florida denied.

No. 754. Joseph A. Murray, petitioner, *v.* H. E. Ray, as trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 770. Elbridge Hanecy, petitioner, *v.* James W. Taylor, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 783. Olof N. Tevander et al., petitioners, *v.* Eleanor M. Ruysdael. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 785. Sarah Bressler, petitioner, *v.* Mary C. Ludwig and Henry W. Ludwig. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 786. Western Union Telegraph Company, petitioner, *v.* Mary E. Preston. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 792. Albert J. Galen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 306. New Orleans Land Company et al., plaintiffs in error, *v.* The Leader Realty Company. Motion to dismiss or affirm submitted by Mr. William Winans Wall and Mr. Gustave Lemle for the defendant in error in support of the motion, and by Mr. Charles Louque and Mr. W. O. Hart for the plaintiffs in error in opposition thereto.

No. 150. Southern Pacific Company, petitioner, *v.* California Adjustment Company. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the petitioner.

No. 790. The Kansas City Railways Company, appellant, *v.* Frank W. McAllister, attorney general of Missouri, et al. Appeal from the District Court of the United States for the Western District of Missouri. Dismissed with costs, on motion of counsel for the appellant.

No. 791. Kansas City Railways Company, appellant, *v.* Frank W. McAllister, attorney general of Missouri, et al. Appeal from the District Court of the United States for the District of Kansas. Dismissed with costs, on motion of counsel for the appellant.

No. 748. The Seaboard Air Line Railway, appellant, *v.* The United States. Motion to strike out part of findings of fact and conclusions of law or to remand cause for new findings and conclusions submitted by Mr. Benjamin Carter and Mr. F. Carter Pope for the appellant in support of the motion.

No. —, Original. *Ex parte* In the matter of George E. Hamilton, petitioner. Motion for leave to file a petition for a writ of habeas corpus submitted by Mr. Frederick S. Tyler for the petitioner.

No. 6, Original. The State of New Mexico, complainant, *v.* The State of Texas. Leave granted to open and publish testimony, on motion of Mr. A. A. Jones in behalf of counsel.

No. 410. Gin Dock Sue, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles R. Pierce in behalf of Mr. Marshall B. Woodworth for the petitioner, and by Mr. Assistant to the Attorney General Todd and Mr. Assistant Attorney General Porter for the respondent.

No. 784. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* O. W. Seay. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Thomas P. Littlepage and Mr. R. J. Roberts for the petitioner.

No. 136. L. Cass Miller et al., appellants, *v.* John Wiethaupt et al. Passed, on account of sickness of counsel, to be restored to the call pursuant to the provisions of section 9, rule 26.

No. 598. Butte & Superior Copper Company (Limited), appellant, *v.* Clark-Montana Realty Company et al. Argument continued by Mr. W. H. Dickson for the appellant, and by Mr. John P. Gray for the appellees, and concluded by Mr. William Wallace, jr., for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 14, will be as follows: Nos. 62 (and 63), 119, 120, 12~~3~~ (to 129), 132, 137, 138, 139, 367 (and 370), and 141.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 14, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William A. Schnader, of Philadelphia, Pa.; Robert L. Williams, of Washington, D. C.; Merton L. Corey, of Omaha, Nebr.; Archibald H. Vernon, of Little Falls, Minn.; and Robert A. Ragsdale, of Russellville, Ark., were admitted to practice.

No. 62. G. S. Nicholas & Company et al., petitioners, *v.* The United States; and

No. 63. Alex. D. Shaw & Company et al., petitioners, *v.* The United States. Argument commenced by Mr. W. P. Preble for Alex. D. Shaw & Company et al., continued by Mr. Assistant Attorney General Hanson for the United States and concluded by Mr. Albert H. Washburn for G. S. Nicholas & Company et al.

No. 119. Corn Products Refining Company, plaintiff in error, *v.* V. C. Eddy et al. Argued by Mr. T. M. Lillard for the plaintiff in error and by Mr. J. L. Hunt for the defendants in error.

No. 120. Elvie Wheeler, by his next friend, P. T. Wheeler, plaintiff in error, *v.* Cincinnati, New Orleans & Texas Pacific Railway Company. Submitted by Mr. Buford C. Tynes for the plaintiff in error and by Mr. John Galvin and Mr. Edward Colston for the defendant in error.

No. 123. Wirt K. Winton, administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 124. J. S. Bounds, attorney in fact for T. A. Bounds, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 125. John London, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 126. Walter S. Field et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 127. J. J. Beckham, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 128. William N. Vernon, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws; and

No. 129. Katie A. Howe, executrix, etc., appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws. Three and one-half hours allowed to counsel for the appellants for oral argument. Argument commenced by Mr. W. W. Scott for the appellants in No. 123.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 15, will be as follows: Nos. 123 (to 129), 132, 137, 138, 139, 367 (and 370), 141, 142, 143, and 144.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 15, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

Charles A. Vogler, of Winston-Salem, N. C.; Charles Wesley Dunn, of New York City; Frank G. Walling, of Tulsa, Okla.; and Henry P. Burney, of San Antonio, Tex., were admitted to practice.

No. 682. Bessie Tyrrell, née Offut, et al., petitioners, *v.* Charles B. Shaffer et al. Motion to advance submitted by Mr. F. W. Clements in behalf of counsel for the respondents.

No. 123. Wirt K. Winton, administrator, etc., et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 124. J. S. Bounds, attorney in fact for T. A. Bounds, appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 125. John London, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 126. Walter S. Field et al., appellants, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 127. J. J. Beckham, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws;

No. 128. William N. Vernon, appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws; and

No. 129. Katie A. Howe, executrix, etc., appellant, *v.* Jack Amos and others, known as the Mississippi Choctaws. Argument continued by Mr. W. W. Scott for the appellants in No. 123, by Mr. Guion Miller for the appellants in Nos. 124 to 129, by Mr. Assistant Attorney General Thompson for the appellees, by Mr. Guion Miller for the appellants in Nos. 124 to 129, and concluded by Mr. W. W. Scott for the appellants in No. 123.

No. 132. Baltimore & Ohio Railroad Company et al., petitioners, *v.* J. G. Leach. Argument commenced by Mr. William W. Crawford for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 16, will be as follows: Nos. 132, 137, 138, 139, 367 (and 370), 141, 142, 143, 144, and 147.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 16, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Stevens Heckscher, of Philadelphia, Pa.; John M. Markley, of Georgetown, Ohio; Perry W. Howard, of Jackson, Miss.; George N. Beakley, of Phoenix, Ariz.; Cornelius W. Kelly, of San Francisco, Cal.; and J. Sydney Salkey, of St. Louis, Mo., were admitted to practice.

No. 157. Maggie L. Lukens, plaintiff in error, *v.* International Life Insurance Company. In error to the Supreme Court of the State of Missouri. Dismissed, per stipulation.

No. 132. Baltimore & Ohio Railroad Company et al., petitioners, *v.* J. G. Leach. Argument continued by Mr. William W. Crawford for the petitioners, by Mr. Frank W. Hackett for the respondent, and concluded by Mr. William W. Crawford for the petitioners.

No. 137. Pierce Oil Corporation, plaintiff in error, *v.* The City of Hope. Submitted by Mr. W. E. Hemingway, Mr. G. B. Rose and Mr. J. F. Loughborough for the plaintiff in error. No appearance for the defendant in error.

No. 138. The Chicago & Eastern Illinois Railroad Company, plaintiff in error, *v.* Collins Produce Company. Submitted by Mr. Homer T. Dick and Mr. Lindorf O. Whitnel for the plaintiff in error, and by Mr. Charles Wham and Mr. Fred L. Wham for the defendant in error.

No. 139. Adams Express Company, plaintiff in error, *v.* W. N. Reynolds. Argument commenced by Mr. William A. Schnader for the plaintiff in error, continued by Mr. B. S. Womble and Mr. W. M. Hendren for the defendant in error, and concluded by Mr. William A. Schnader for the plaintiff in error.

No. 367. The United States of America, plaintiff in error, *v.* C. T. Doremus. Submitted by Mr. Assistant Attorney General Porter and Mr. W. C. Herron for the plaintiff in error. No appearance for the defendant in error.

No. 370. W. S. Webb et al. *v.* The United States of America. Argued by Mr. Ralph Davis for Webb and Goldbaum, and by Mr. Assistant Attorney General Porter for The United States.

No. 141. Anna D. Matters, appellant, *v.* Margaret Ryan. Submitted by Mr. Horace Kent Tenney, Mr. Roger Sherman, and Mr. Harry A. Parkin for the appellant. No appearance for the appellee.

No. 142. William W. Withnell, plaintiff in error, *v.* Ruecking Construction Company. Argued by Mr. Frank B. Coleman for the defendant in error, and submitted by Mr. E. T. Allen and Mr. C. B. Allen for the plaintiff in error.

No. 143. Corsicana National Bank, of Corsicana, plaintiff in error, *v.* Samuel Wistar Johnson. Argued by Mr. Joseph M. McCormick for the plaintiff in error, and submitted by Mr. Cullen F. Thomas, Mr. W. J. McKie and Mr. Henry C. Coke for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 17, will be as follows: Nos. 144, 147, 148, 149, 151, 152, 153, 155, 156, and 157.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 17, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

H. S. Wilson, of Portland, Oreg.; Clarence Wood, of Salt Lake City, Utah; and W. L. Cole, of Union, Mo., were admitted to practice.

No. 149. Missouri & Arkansas Lumber & Mining Company, plaintiff in error, *v.* Greenwood District of Sebastian County, Arkansas, et al. Submitted by Mr. John H. Vaughn and Mr. B. R. Davidson for the plaintiff in error, and by Mr. Thomas B. Pryor for the defendants in error.

No. 152. Douglas Park Jockey Club, plaintiff in error, *v.* T. H. Talbot, et al., composing Kentucky State Racing Commission. Continued, per stipulation.

No. 156. The United States, petitioner, *v.* William B. Poland, et al. Passed, per stipulation.

No. 158. The Delaware, Lackawanna & Western Railroad Company, appellant, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. F. Carter Pope in behalf of counsel for the appellant.

No. 144. American Steel Foundries, petitioner, *v.* The Tri-City Central Trades Council et al. Argued by Mr. Max Pam for the petitioner, and by Mr. F. C. Smith for the respondents.

No. 147. Adelbert A. Weiland, as State engineer, etc., et al., appellants, *v.* The Pioneer Irrigation Company. Argued by Mr. Delph E. Carpenter for the appellants, and by Mr. Edwin H. Park for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 20, will be as follows: Nos. 148, 151, 153, 155, 159, 160, 161, 162 (and 181), 163, and 167.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 20, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

J. Crawford Biggs, of Raleigh, N. C.; Robin T. Burk, of Louisville, Ky.; Robert C. Poskanzer, of Albany, N. Y.; Louis J. de Milhau, of New York City; Claude D. Ritter, of Birmingham, Ala.; Dennison Wheelock, of Green Bay, Wis.; Thomas W. Leahy, of Muskogee, Okla.; Henry L. Phillips, of Tulsa, Okla.; Thomas F. Quinn, of St. Paul, Minn.; J. Gordon Bohannon, of Petersburg, Va.; and Edward C. Fitch, of Chicago, Ill., were admitted to practice.

No. 130. Postal Telegraph-Cable Company, plaintiff in error, *v.* Tonopah & Tidewater Railroad Company. In error to the Supreme Court, Appellate Division, First Department of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 217. The Western Union Telegraph Company, appellant, *v.* The Baltimore & Ohio Railroad Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes.

No. 404. Postal Telegraph-Cable Company, appellant, *v.* Chicago Great Western Railroad. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Illinois. Opinion by Mr. Justice Holmes.

No. 114. Philip La Tourette, plaintiff in error, *v.* Fitz Hugh McMaster, as insurance commissioner of the State of South Carolina. In error to the Supreme Court of the State of South Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 64. J. Homer Fritch, Incorporated, E. T. Kruse, Mary Bell Parker Burns, et al., plaintiffs in error, *v.* The United States. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment reversed; and cause remanded to the said Circuit Court of Appeals with directions to dismiss for want of jurisdiction. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 120. Elvie Wheeler, by his next friend, P. T. Wheeler, plaintiff in error, *v.* Cincinnati, New Orleans & Texas Pacific Railway Company. In error to the Court of Appeals of the State of Kentucky. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 139. Adams Express Company, plaintiff in error, *v.* W. N. Reynolds. In error to the Supreme Court of the State of North Carolina. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 375. Charles B. Shaffer, appellant, *v.* E. B. Howard, state auditor of the State of Oklahoma, and John S. Woolfer, sheriff of Creek County, State of Oklahoma. *Per curiam*: The suggestion having been made that this case has become moot by the expiration of the official term of the State officers who were defendants below and who are appellees here, the attention of counsel of both parties is called to the suggestion and information from them on the subject is requested.

No. —, Original. Ex parte In the matter of George E. Hamilton, petitioner. Motion for leave to file petition for a writ of *habeas corpus* denied.

No. 682. Bessie Tyrrell, née Offutt, et al., petitioners, *v.* Charles B. Shaffer and W. J. Rowland. Motion to advance granted, and case assigned for argument after case No. 167.

No. 628. James A. Keown, petitioner, *v.* Mary E. Keown et al. Motion for leave to prosecute *in forma pauperis* denied.

No. 748. The Seaboard Air Line Railway, appellant, *v.* The United States. Motion to strike out part of the findings or to remand for new findings denied without prejudice.

No. 780. Michael Peyser, petitioner, *v.* Elizabeth J. Grauten. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 410. Gin Dock Sue, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 649. Alvah Crocker et al., trustees, petitioners, *v.* John F. Malley, collector of internal revenue. Motion to advance submitted by Mr. Solicitor General King for the respondent.

No. —, Original. Ex parte In the matter of Robert D. Kinney, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. Robert D. Kinney *pro se*.

No. 734. E. W. Bliss Company, appellant, *v.* The United States. Suggestion of diminution of the record and motion for a writ of certiorari submitted by Mr. Calvin T. Milans in behalf of Mr. Arthur C. Fraser for the appellant, and by Mr. Assistant Attorney General Thompson and Mr. Henry C. Workman for the appellee in opposition thereto.

No. 161. Southern Pacific Company, plaintiff in error, *v.* John Newman. Passed, to be restored to the call under the provisions of section 9, rule 26, on motion of Mr. C. F. R. Ogilby for the plaintiff in error.

No. 684. John E. Hartenbower and George D. Hiltabrand, plaintiffs in error, *v.* The People of the State of Illinois. Motion to dismiss submitted by Mr. Edward C. Fitch in behalf of Mr. Edward J. Brundage and Mr. James H. Wilkerson for the defendants in error in support of the motion, and by Mr. Harry C. Kinne for the plaintiffs in error in opposition thereto.

No. 658. Ed C. Lasater, petitioner, *v.* Magnolia Petroleum Company et al. Motion for an extension of time in which to prepare and file printed copies of petition for a writ of certiorari submitted by Mr. Joseph W. Bailey in behalf of Mr. W. E. Pope for the petitioner.

No. 787. Metropolitan Trust Company of the City of New York, trustee, etc., petitioner, *v.* Chicago & Eastern Illinois Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles E. Hughes, Mr. Frank H. Scott, Mr. Brode B. Davis, and Mr. Royall Victor for the petitioner, and by Mr. John S. Miller, Mr. George Welwood Murray, Mr. Arthur H. Van Brunt, and Mr. Roberts Walker for the respondents.

No. 794. Albert Le More and Edward E. Carriere, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charlton R. Beattie and Mr. George Wesley Smith

for the petitioners, and by Mr. Solicitor General King for the respondent.

No. 800. Grand Lodge of the Brotherhood of Railroad Trainmen, petitioner, *v.* Sallie Ann Groves. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry P. Blair and Mr. Arthur Hellen for the petitioner, and by Mr. W. Gwynne Gardner for the respondent.

No. 356. The United States *ex rel.* George W. Billerman, appellant, *v.* Matthew J. Long, criminal sheriff, etc. Motion to dismiss or affirm submitted by Mr. Thomas Lee Woolwine for the appellee in support of the motion.

No. 162. Oelwerke Teutonia, appellant, *v.* Erlanger & Gallinger; and

No. 181. Erlanger & Gallinger, appellants, *v.* Oelwerke Teutonia. Submitted by Mr. Harry W. Van Dyke for Oelwerke Teutonia, and by Mr. F. C. Fisher for Erlanger & Gallinger.

No. 148. Gratiot County State Bank, petitioner, *v.* D. Lloyd Johnson, trustee, etc. Submitted by Mr. William L. Carpenter and Mr. Elliott G. Stevenson for the petitioner, and by Mr. Edward J. Moinet and Mr. William A. Bahlke for the respondent.

No. 151. Alaska Salmon Company, plaintiff in error, *v.* The Territory of Alaska. Argued by Mr. George B. Grigsby for the defendant in error, and submitted by Mr. Warren Gregory, Mr. E. S. McCord, and Mr. W. H. Bogle for the plaintiff in error.

No. 153. Elmira Van Bushkirk, as administratrix, etc., plaintiff in error, *v.* Erie Railroad Company. Argued by Mr. Charles A. Ludlow for the plaintiff in error, and by Mr. George S. Hobart for the defendant in error.

No. 155. The United States, petitioner, *v.* Brooklyn Eastern District Terminal. Argued by Mr. Assistant Attorney General Frierson for the petitioner, and by Mr. Henry B. Closson for the respondent.

No. 159. Chicago & Northwestern Railway Company, plaintiff in error, *v.* A. C. Ochs, doing business under the name of A. C. Ochs Brick & Tile Company. Argued by Mr. Richard L. Kennedy for the plaintiff in error, and by Mr. Henry C. Flannery for the defendant in error.

No. 160. Large Oil Company, plaintiff in error, *v.* E. B. Howard, State auditor, etc. Argument commenced by Mr. Frank B. Burford for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 21, will be as follows: Nos. 160, 163, 167, 168, 169, 170, 172, 173, 174, and 175.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 21, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Clare J. Hall, of Grand Rapids, Mich.; Thomas J. O'Neill, of New York City; Richard P. Daniel, of Jacksonville, Fla.; G. Bartram Woodruff, of Elizabeth, N. J.; Arthur J. Decker, of Washington, D. C.; John L. Hughes, of Benton, Ark.; and E. L. Kirby, of Wagoner, Okla., were admitted to practice.

No. 168. The United States, appellant, *v.* The Purcell Envelope Company. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. C. F. R. Ogilby in behalf of counsel.

No. 682. Bessie Tyrrell, nee Offut, et al., petitioners, *v.* Charles B. Shaffer et al. Reassigned for March 3 next, after the cases heretofore assigned for that day.

No. 173. The Harriman National Bank of New York, plaintiff in error, *v.* Harry H. Seldomridge, as Receiver, etc. Passed, to be restored to the call pursuant to section 9, rule 26.

No. 174. Pacific Gas & Electric Company, plaintiff in error, *v.* The Police Court of the City of Sacramento, State of California, et al. Continued, per stipulation.

No. 160. Large Oil Company, plaintiff in error, *v.* E. B. Howard, State Auditor, etc. Argument continued by Mr. Frank B. Burford for the plaintiff in error, and concluded by Mr. John B. Harrison for the defendant in error.

No. 163. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, Comptroller General, etc. Argument commenced by Mr. T. M. Cunningham, jr., for the plaintiff in error, continued by Mr. Samuel H. Sibley, for the defendant in error, and concluded by Mr. A. R. Lawton for the plaintiff in error.

No. 167. Thomas Gilcrease, petitioner, *v.* G. R. McCullough et al. Argued by Mr. A. J. Biddison for the petitioner, and by Mr. James B. Diggs for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 22, will be as follows: Nos. 169, 170, 172, 175, 176, 177, 178, 179, 180, and 182.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 22, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John R. Weinbrenner, of St. Louis, Mo.; Albert T. Wilkinson, of Camden, N. Y.; Joseph Nicchia, of New York City; and George P. Foulk, of New York City, were admitted to practice.

No. —, Original. Ex parte In the matter of Albert Paul Fricke, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. W. W. Scott in behalf of Mr. Thomas J. O'Neill for the petitioner.

No. 178. Dominion Hotel, Inc., plaintiff in error, *v.* The State of Arizona. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Harvey M. Friend for the plaintiff in error.

No. 134. The New York Central Railroad Company, successor, etc., plaintiff in error, *v.* Anna C. Porter, for herself, etc., et al. Leave granted to file brief for the defendants in error, on motion of Mr. A. T. Wilkinson for the defendants in error.

No. 248. Louisville & Nashville Railroad Company, plaintiffs in error, *v.* The Western Union Telegraph Company. Assigned for hearing with case No. 176, on motion of Mr. Gregory L. Smith for the plaintiff in error.

No. 180. Compania General de Tabacos de Filipinas, appellant, *v.* Alhambra Cigar and Cigarette Manufacturing Company. Submitted by Mr. F. C. Fisher for the appellant, and by Mr. H. W. Van Dyke for the appellee.

No. 169. Postal Telegraph-Cable Company, appellant, *v.* City of Richmond. Argued by Mr. John N. Sebrell, jr., for the appellant, and by Mr. H. R. Pollard for the appellee

No. 170. Union Tank Line, plaintiff in error, *v.* William A. Wright, Comptroller General of Georgia. Argued by Mr. Douglas Campbell for the plaintiff in error, and submitted by Mr. Clifford Walker for the defendant in error.

No. 172. Northern Pacific Railway Company et al., petitioners, *v.* E. W. McComas. Argued by Mr. Charles Donnelly for the petitioners, and by Mr. Harvey M. Friend for the respondent.

No. 175. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* James R. Baird. Submitted, with leave to counsel for the plaintiff in error to file brief on or before February 1, and to counsel for the defendant in error to file brief on or before February 15, next.

No. 176. Louisville & Nashville Railroad Company, appellant, *v.* Western Union Telegraph Company; and

No. 248. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The Western Union Telegraph Company. Argument commenced by Mr. Gregory L. Smith for the appellant and plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 23, will be as follows: Nos. 176 (and 248), 177, 179, 182, 183, 184, 185 (and 494), 186, 187 (and 188), and 189.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 23, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Louis B. Boudin, of New York City; Elmer W. Demarest, of Jersey City, N. J.; Carl E. Dietze, of Mayville, Wis.; Claude Smith, of Caddo, Okla.; Walter J. Turnbull, of Durant, Okla.; William F. Semple, of Durant, Okla.; and Leonard D. Lewis, of Hobart, Okla., were admitted to practice.

No. 186. William H. Odell, appellant, *v.* F. C. Farnsworth Company et al. Passed, on motion of Mr. Frank A. Kane in behalf of counsel.

No. 187. Seufert Brothers Company, appellant, *v.* The United States of America, as Trustee and Guardian, etc., et al.; and

No. 188. The United States of America, as Trustee and Guardian, etc., et al., appellants, *v.* Seufert Brothers Company. Passed, on motion of Mr. Solicitor General King for the United States, etc., et al.

No. 183. The Baltimore & Ohio Railroad Company et al., plaintiffs in error, *v.* Louis Block. Submitted by Mr. Rudolph Bumgardner for the plaintiffs in error, and by Mr. V. R. Shackelford for the defendant in error.

No. 176. Louisville & Nashville Railroad Company, appellant, *v.* Western Union Telegraph Company; and

No. 248. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The Western Union Telegraph Company. Argument continued by Mr. Gregory L. Smith for the appellant and plaintiff in error, by Mr. Rush Taggart for the appellee and defendant in error, and concluded by Mr. Gregory L. Smith for the appellant and plaintiff in error.

No. 177. Standard Oil Company, plaintiff in error, *v.* H. T. Graves and H. T. Graves as Commissioner of Agriculture, etc. Argued by Mr. Oscar Sutro for the plaintiff in error, and by Mr. L. L. Thompson for the defendants in error.

No. 182. J. D. Boxley, plaintiff in error, *v.* E. M. Scott et al. Submitted by Mr. Harry H. Rogers for the plaintiff in error, and by Mr. William P. Langston for the defendants in error.

No. 184. James E. Whitehead, plaintiff in error, *v.* James O. Gallo-way et al. Submitted by Mr. Claude S. Arnold for the plaintiff in error, and by Mr. H. A. Ledbetter for the defendants in error.

No. 185. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma. Leave to file brief for defendant in error with ten days, and leave to file reply brief for the plaintiff in error within five days thereafter, granted, on motion of Mr. S. P. Freeling for the defendant in error.

No. 185. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma; and

No. 494. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Argument commenced by Mr. C. B. Ames for the plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 24, will be as follows: Nos. 185 (and 494), 179, 189, 190, 191, 192, 193, 194, 195, and 196.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 24, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Frank P. Wilson, of New York City; Victor E. Keyes, of Greeley, Colo.; George B. Logan, of St. Louis, Mo.; Joseph D. Shewalter, of Independence, Mo.; and Horace Chamberlin, of Little Rock, Ark.; were admitted to practice.

No. 192. Chesapeake & Delaware Canal Company, plaintiff in error, *v.* The United States. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. Solicitor General King for the defendant in error.

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States. Leave granted Mr. Gilbert E. Roe to file brief as *amicus curiæ*, on motion of Mr. M. E. Clapp in that behalf.

No. 194. Franklin K. Lane, Secretary of the Interior, et al., appellants, *v.* Central Pacific Railway Company. Continued, per stipulation.

No. 196. The Northern Pacific Railway Company, appellant, *v.* Franklin K. Lane, Secretary of the Interior. Continued, per stipulation.

No. 185. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma; and

No. 494. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. Argument continued by Mr. S. P. Freeling for the defendant in error and appellees, and concluded by Mr. C. B. Ames for the plaintiff in error and appellant.

No. 179. John Kenny, petitioner, *v.* Laban Miles et al., administrators, etc. Argued by Mr. Solicitor General King for the petitioner, and by Mr. H. P. White for the respondents.

No. 189. Adelbert Harris, by his next friend, Albert Harris, *v.* The District of Columbia. Argument commenced by Mr. Rossa F. Downing for Harris, continued by Mr. Robert L. Williams and Mr. Francis H. Stephens for the District of Columbia, and concluded by Mr. Rossa F. Downing for Harris.

No. 191. Andrew D. Barbour, plaintiff in error, *v.* The State of Georgia. Submitted by Mr. A. A. Lawrence and Mr. W. W. Osborne for the plaintiff in error, and by Mr. Clifford Walker for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 27, will be as follows: Nos. 667, 685, 714, 763 (to 768), 190, 193, 195, 197, 198, and 199.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JANUARY 27, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William P. Maloney, of New York City; James A. Ford, of Cleveland, Ohio; Arthur W. Calver, of Washington, D. C.; Herman T. Gammons, of Haverhill, Mass.; Arthur B. Marsh, of Haverhill, Mass.; James E. Cannon, of Richmond, Va.; Ray J. Madden, of Omaha, Nebr.; William D. Eton, of Washington, D. C.; Ernest Sidney McNamee, of Cadiz, Ohio; Owen N. Brown, of New York City; Louis V. Crowley, of San Francisco, Cal.; Edward A. Foley, of San Francisco, Cal.; Andrew Joyce, of Pawhuska, Okla.; Louis T. W. Hogrefe, of Washington, D. C.; Harry W. Muller, of Fort Wayne, Ind.; and Francis L. Boutell, of Chicago, Ill., were admitted to practice.

No. 164. The United States of America and Mrs. Josephine Brown, appellants, *v.* New Orleans Pacific Railway Company et al.;

No. 165. The United States of America and William R. Turner, appellants, *v.* New Orleans Pacific Railway Company et al.; and

No. 166. The United States of America and Stephen N. Grant, appellants, *v.* New Orleans Pacific Railway Company et al. Appeals from the United States Circuit Court of Appeals for the Fifth Circuit. Decrees in Nos. 164 and 165 reversed, and decree in No. 166 affirmed as to S. $\frac{1}{2}$ of N. W. $\frac{1}{4}$ of sec. 3, T. 3 N., R. 7 W., L. M., and reversed as to the other lands; and cases remanded to the District Court of the United States for the Western District of Louisiana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 56. Mount Saint Mary's Cemetery Association, plaintiff in error, *v.* William C. Mullins. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 137. *Pierce Oil Corporation, plaintiff in error, v. The City of Hope.* In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 262. *The Bank of California, National Association, plaintiff in error, v. Friend William Richardson, as treasurer of the State of California.* In error to the Supreme Court of the State of California. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice White. Dissenting: Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

The Chief Justice also announced the following orders of the court:

No. 115. *The Bank of California, National Association, plaintiff in error, v. E. D. Roberts, as treasurer of the State of California.* In error to the Supreme Court of the State of California. Per curiam: This case is controlled by the opinion in *Bank of California v. Richardson*, just decided. Indeed, it was submitted without briefs upon the briefs filed in that case. For the reasons stated in the previous case, therefore, the judgment here must be reversed and the case remanded for further proceedings not inconsistent with this opinion.

No. 153. *Elmira Van Buskirk, administratrix of the estate of William Van Buskirk, deceased, plaintiff in error, v. Erie Railroad Company.* In error to the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of section 241 of the Judicial Code; *Haseltine v. Central Bank of Springfield* (183 U. S., 130); *Schlosser v. Hemphill* (198 U. S., 173, 175); *Missouri, etc., Ry. Co. v. Olathe* (222 U. S., 185, 186); *Louisiana Navigation Co. v. Oyster Commission of Louisiana* (226 U. S., 99, 101).

No. 160. *Large Oil Company, plaintiff in error, v. E. B. Howard, State auditor of the State of Oklahoma.* In error to the Supreme Court of the State of Oklahoma. Per curiam: Judgment reversed with costs, and cause remanded for further proceedings upon the authority of *Choctaw & Gulf R. R. Co. v. Harrison* (235 U. S., 292); *Indian Territory Illuminating Oil Co. v. Oklahoma* (240 U. S., 522). And see *Howard, auditor of the State of Oklahoma v. Oil Companies* (247 U. S., 503).

No. 182. *J. D. Boxley, plaintiff in error, v. E. M. Scott and Franklin Chaney.* In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 183. The Baltimore & Ohio Railroad Company and Chesapeake & Ohio Railway Company, plaintiffs in error, *v.* Louis Block. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 306. New Orleans Land Company and Lakeview Land Company, plaintiffs in error, *v.* The Leader Realty Company. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 684. John E. Hartenbower et al., plaintiffs in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. —, Original. Ex parte In the matter of Robert D. Kinney, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. —, Original. Ex parte In the matter of Albert Paul Fricke, petitioner. Motion for leave to file petition for a writ of mandamus herein denied.

No. 658. Ed C. Lasater, petitioner, *v.* Magnolia Petroleum Company. Motion for an extension of time in which to print the petition for writ of certiorari heretofore submitted granted, and the time extended to and including February 3 next.

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No. 734. E. W. Bliss Company, appellant, *v.* The United States. Motion for writ of certiorari on suggestion of diminution of record herein denied without prejudice.

No. 649. Alvah Crocker et al., trustees, petitioners, *v.* John F. Malley, collector of internal revenue. Motion to advance granted, and case assigned for argument on Monday, March 3d next, after the cases heretofore assigned for that day.

No. 373. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. This case having heretofore been ordered placed on the summary docket, it is assigned for argument on Monday, March 3 next, at the head of the call for that day.

No. 787. Metropolitan Trust Company of the City of New York, Trustee, etc., petitioner, *v.* Chicago & Eastern Illinois Railroad Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 794. Albert Le More and Edward E. Carriere, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 800. Grand Lodge of the Brotherhood of Railroad Trainmen, petitioner, *v.* Sallie Ann Groves. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

The Chief Justice also announced that the court will take a recess from Monday, February 3 next, to Monday, March 3 next.

No. 227. Ball Engineering Company, petitioner, *v.* J. G. White & Company. Leave granted to file a brief herein in behalf of the United States as *amicus curiæ* on motion of Mr. Solicitor General King in that behalf.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton; and

No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton. Motion to advance submitted by Mr. Solicitor General King in behalf of counsel for appellants.

No. 419. R. A. Flanders, as trustee, etc., appellant, *v.* E. J. Coleman. Motion to place on summary docket submitted by Mr. Alexander C. King in behalf of Mr. A. S. Bradley and Mr. Frederick T. Saussy for the appellant.

No. 179. John Kenny, petitioner, *v.* Laban Miles et al., administrators, etc. Leave granted to file supplemental brief herein within three days, on motion of Mr. H. P. White for the respondents.

No. 441. The United States *ex rel.* William F. Arant, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Motion to advance submitted by Mr. H. Prescott Gatley for the plaintiff in error.

No. —. Original. In the matter of Albert Herschel de Proper. Submitted on suggestions by Mr. Frederic D. McKenney, Mr. Charles W. Needham, and Mr. Melville Church, the committee of the bar appointed by the court, and by Mr. Albert Herschel de Proper *pro se*.

No. 821. E. I. du Pont de Nemours & Company, petitioner, *v.* George C. Brisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Gordon Bohannon for the petitioner, and by Mr. David H. Leake for the respondent.

No. 798. Kate Richards O'Hare, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Vernon E. West in behalf of Mr. Chester H. Krum for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 801. Fox Typewriter Company, petitioner, *v.* August J. Oehring et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Fred L. Chappell for the petitioner, and by Mr. Hans v. Briesen for the respondent.

No. 814. Norfolk Southern Railroad Company, petitioner, *v.* Furney King. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Robert N. Simms and Mr. William B. Rodman for the petitioner.

No. 198. The United States of America on the relation of Alaska Smokeless Coal Company, plaintiff in error, *v.* Franklin K. Lane, as Secretary of the Interior, et al. Passed, on motion of Mr. C. F. Ogilby for the plaintiff in error.

No. 667. James A. Peterson, plaintiff in error, *v.* The United States of America. Passed, on motion of Mr. Solicitor General King for the defendant in error.

No. 223. Alfred W. Church, appellant, *v.* Horace M. Swetland et al. Motion to dismiss submitted by Mr. John S. Parker for the appellees in support of the motion, and by Mr. Hector M. Hitchings for the appellant in opposition thereto.

No. 685. Jacob Frohwerk, plaintiff in error, *v.* The United States of America. One-half hour extra time allowed in the argument, on motion of Mr. Joseph D. Shewalter for the plaintiff in error. Argued by Mr. Frans E. Lindquist and Mr. Joseph D. Shewalter for the plaintiff in error, and by Mr. John Lord O'Brian for the defendant in error. Leave granted Mr. Joseph D. Shewalter to file an additional brief for the plaintiff in error within two days.

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. Seymour Stedman for the plaintiff in error, and continued by Mr. John Lord O'Brian for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 28, will be as follows: Nos. 714, 763 (to 768), 190, 193, 195, 197, 199, 187 (and 188), 200, and 201.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, JANUARY 28, 1919.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Rufus Sea Stout, of Los Angeles, Cal.; Perri W. Frisby, of Washington, D. C.; Francis S. Wilson, of Chicago, Ill.; Matthias Con-cannon, of Chicago, Ill.; and Albert Saylor, of Seattle, Wash., were admitted to practice.

No. 201. The United States, appellant, *v.* The Atchison, Topeka & Santa Fe Railway Company. Passed.

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States. Argument concluded by Mr. John Lord O'Brian for the defendant in error.

No. 763. Frank W. Blair, plaintiff in error, *v.* The United States;

No. 764. Allan A. Templeton, plaintiff in error, *v.* The United States;

No. 765. Thomas P. Phillips, plaintiff in error, *v.* The United States;

No. 766. Frank W. Blair, appellant, *v.* The United States;

No. 767. Allan A. Templeton, appellant, *v.* The United States; and

No. 768. Thomas P. Phillips, appellant, *v.* The United States. Argued by Mr. Martin W. Littleton for the plaintiffs in error and appellants, and by Mr. Assistant Attorney General Porter for the defendant in error and appellee.

No. 190. Norfolk Southern Railroad Company, plaintiff in error, *v.* W. H. Gallup et al., etc. Passed temporarily.

No. 193. Savannah & Northwestern Railway et al., plaintiffs in error, *v.* Maggie Roach, administratrix, etc. Passed temporarily.

No. 195. The City of Richmond, petitioner, *v.* Elizabeth W. Bird et al. Argument commenced by Mr. George Wayne Anderson for the petitioner, and continued by Mr. James E. Cannon for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 29, will be as follows: Nos. 195, 197, 199, 187 (and 188), 200, 173, 202, 203, 204, and 205.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, JANUARY 29, 1919.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Clarence N. Goodwin, of Chicago, Ill., J. Robert Anderson, of Parkersburg, W. Va., Frank R. Hubachek, of Minneapolis, Minn., Robert H. Lane, of Bay City, Mich., Gilbert A. Cunie, of Midland, Mich., D. C. Geiselman, of Geneva, Nebr., C. F. Whitehead, of Warsaw, Ind., and James A. Stephens, of Benjamin, Tex., were admitted to practice.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Continued, per stipulation.

No. 204. Lake Erie & Western Railroad Company, plaintiff in error, *v.* The State Public Utilities Commission, of Illinois, ex rel., J. S. Cameron. Passed.

No. 195. The City of Richmond, petitioner, *v.* Elizabeth W. Bird et al. Argument continued by Mr. James E. Cannon for the respondents, and concluded by Mr. George Wayne Anderson for the petitioner.

No. 197. Franklin Knight Lane, Secretary of the Interior, et al., appellants, *v.* The Pueblo of Santa Rosa. Argued by Mr. Solicitor General King for the appellants, and by Mr. Ralph S. Rounds for the appellee.

No. 187. Seufert Brothers Company, appellant, *v.* The United States of America, as trustee and guardian, etc., et al.; and

No. 188. The United States of America, as trustee and guardian, etc., et al., appellants, *v.* Seufert Brothers Company. Argument commenced by Mr. H. S. Wilson for Seufert Brothers Company, and continued by Mr. Assistant Attorney General Brown for The United States of America, as trustee and guardian, etc., et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 30, will be as follows: Nos. 187 (and 188), 199, 200, 173, 203, 205, 168, 206, 208, and 209.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, JANUARY 30, 1919.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Arthur P. Carpenter, of Brattleboro, Vt.; John J. Bouhan, of Savannah, Ga.; Henry Minor, of Macon, Miss.; Garrard Harris, of Jackson, Miss.; Phillip W. Haberman, of New York City; C. M. King, of Deer River, Minn.; Frederic A. Pike, of St. Paul, Minn.; and H. H. Russell, of Westerville, Ohio, were admitted to practice.

No. 190. Norfolk Southern Railroad Company, plaintiff in error, *v. W. H. Gallup et al.*, etc. In error to the Supreme Court of the State of North Carolina. Dismissed with costs on motion of the plaintiff in error.

No. 193. Savannah and Northwestern Railway et al., plaintiffs in error, *v. Maggie Roach*, administratrix, etc. In error to the Court of Appeals of the State of Georgia. Dismissed with costs on motion of the plaintiff in error.

No. 206. L. C. Watson, as trustee, etc., plaintiff in error, *v. George D. Motley*. Submitted by Mr. Rutherford Lapsley for the plaintiff in error, and by Mr. George D. Motley for the defendant in error.

No. 187. Seufert Brothers Company, appellant, *v. The United States of America*, as trustee and guardian, etc., et al.; and

No. 188. The United States of America, as trustee and guardian, etc., et al., appellants, *v. Seufert Brothers Company*. Argument continued by Mr. Assistant Attorney General Brown for the United States, etc., et al., and concluded by Mr. H. S. Wilson for Seufert Brothers Company.

No. 199. The United States, appellant, *v. The Union Pacific Railroad Company*. Argued by Mr. Assistant Attorney General Brown for the appellant, and by Mr. William R. Harr for the appellee.

No. 200. The United States, appellant, *v. Robert A. Laughlin*, Argument commenced by Mr. C. Edward Wright for the appellant, and continued by Mr. Francis W. Clements for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 31, will be as follows: Nos. 200, 173, 203, 205, 168, 208, 209, 210, 213, and 214.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, JANUARY 31, 1919.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Everett Paul Griffin, of St. Louis, Mo., and Isaac Shorr, of New York City, were admitted to practice.

No. 828. The United States, plaintiff in error, *v.* Colgate & Company. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 210. Lehigh Coal & Navigation Company *v.* The United States. Passed.

No. 200. The United States, appellant, *v.* Robert A. Laughlin. Argument concluded by Mr. C. Edward Wright for the appellant.

No. 173. The Harriman National Bank of New York, plaintiff in error, *v.* Harry H. Seldomridge, as receiver, etc. Argued by Mr. Charles E. Hughes for the plaintiff in error, and by Mr. Stuart G. Gibboney for the defendant in error.

No. 203. Panama Railroad Company, plaintiff in error, *v.* Theodore Bosse. Submitted by Mr. Frank Feuille for the plaintiff in error, and by Mr. Theodore C. Hinckley and Mr. Joseph W. Bailey for the defendant in error.

No. 205. The United States, appellant, *v.* A. H. Hoyward et al., administrators, etc. Argued by Mr. Solicitor General King for the appellant, and by Mr. E. C. Brandenburg for the appellees.

Adjourned until Monday next at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES.

MONDAY, FEBRUARY 3, 1919.

Present: Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Carl P. Goepel, of New York City, David Andrew Pine, of Washington, D. C., Barclay W. Moore, of Cadiz, Ohio, Arthur L. Adams, of Blytheville, Ark., and William Asher Smith, of Newark, N. J., were admitted to practice.

No. 162. Oelwerke Teutonia, appellant, *v.* Erlanger & Galinger; and

No. 181. Erlanger & Galinger, appellants, *v.* Oelwerke Teutonia. Appeals from the Supreme Court of the Philippine Islands. Decree affirmed, each party to pay one-half of the costs in this Court. Opinion by Mr. Justice Holmes.

No. 163. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, comptroller general of the State of Georgia. In error to the Supreme Court of the State of Georgia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Holmes.

Mr. Justice McKenna announced the following orders of the Court:

No. 441. The United States *ex rel.* William F. Arant, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Motion to advance granted, and case assigned for argument on Monday, March 3d, next, after the cases heretofore assigned for that day.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton; and No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton. Motion to advance granted, and cases assigned for argument on Monday, March 3d, next, after the cases heretofore assigned for that day.

No. 828. The United States, plaintiff in error, *v.* Colgate & Company. Motion to advance granted, and case assigned for argument on Monday, March 3d, next, after the cases heretofore assigned for that day.

No. 826. F. R. Glascock and The Deming Investment Company, petitioners, *v.* Ellis McDaniel et al., minors, by J. O. Cravens, guardian. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. W. C. Sullivan in behalf of Mr. William B. Moore and Mr. George S. Ramsey for the petitioners.

No. 779. Oneida Navigation Corporation, claimant, etc., appellant, *v.* W. & S. Job & Company, Incorporated. Motion to advance submitted by Mr. G. Thomas Dunlop in behalf of Mr. George Whitefield Betts, jr., for the appellant.

No. 731. Louis W. Hill, administrator, etc., plaintiff in error, *v.* Newton A. K. Bugbee, comptroller, etc., et al. Motion to advance for hearing with case No. 245 submitted by Mr. William Asher Smith in behalf of Mr. Joseph Coult for the plaintiff in error.

No. 600. Frank W. Darling, plaintiff in error, *v.* City of Newport News. Motion to advance submitted by Mr. John Winston Read for the plaintiff in error.

No. 527. Carolina Spruce Company, plaintiff in error, *v.* Black Mountain Railway Company. In error to the Supreme Court of the State of Tennessee. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 812. Atlanta National Bank, petitioner, *v.* William A. Fuller, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Jack J. Spalding for the petitioner, and by Mr. Luther Z. Rosser for the respondent.

No. 817. James Kenney, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the fifth circuit submitted by Mr. Joseph W. Bailey in behalf of Mr. J. Q. Mahaffy, Mr. John J. King, and Mr. W. L. Estes for the petitioner, and by Mr. Solicitor General King and Mr. Assistant Attorney General Porter for the respondent.

No. 830. Lehigh Valley Railroad Company, petitioner, *v.* New Jersey Fidelity & Plate Glass Insurance Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Lindley M. Garrison, Mr. Gilbert Collins, Mr. Edgar H. Boles, Mr. Richard W. Barrett, Mr. George S. Hobart, and Mr. Charles A. Boston for the petitioner, and by Mr. Jeremiah F. Hoover for the respondent.

Adjourned until Monday, March 3d next, at 12 o'clock.

The day call for Monday, March 3, will be as follows: Nos. 373, 7 Original, 171, 10 Original, 417, 591, 599, 585, 682, 649, 441, 815 (and 816), and 828.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 3, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Mark Goode, of Shawnee, Okla.; Paul R. Wagner, of Mont Clare, Pa.; Meyer London, of New York City; George R. Allen, of Kansas City, Kans.; Kenneth M. Ham, jr., of Los Angeles, Cal.; Harry A. Cottom, of Brownsville, Pa.; Thomas F. Green, of Athens, Ga.; William St. John Tozer, of New York City; Arthur C. Schenck, of Washington, D. C.; George P. Steele, of Denver, Colo.; J. W. Burton, of Crosbyton, Tex.; Ray E. Lane, of Chicago, Ill.; W. L. Pollard, of Los Angeles, Cal.; Charles Elvan Musick, of Pasadena, Cal.; Lloyd T. Williams, of Toledo, Ohio; Robert Bryan Cassell, of Harri-man, Tenn.; Emory J. Smith, of Chicago, Ill.; E. J. Van Court, of Eufaula, Okla.; Albert G. Craig, of Denver, Colo.; William Beard, of Parkersburg, W. Va.; Lemuel Ely Quigg, of New York City; Peter M. Speer, of Oil City, Pa.; J. O. Murfin, of Detroit, Mich.; William Schley Howard, of Atlanta, Ga.; Walter L. Hensley, of Farmington, Mo.; Courtney W. Hamlin, of Springfield, Mo.; Wintemute W. Sloan, of Washington, D. C.; John Raevurn Green, of St. Louis, Mo.; Randolph C. Shaw, of Washington, D. C.; George P. Glaze, of Oklahoma City, Okla.; Alan Johnstone, jr., of Columbia, S. C.; De Lo E. Mook, of Cleveland, Ohio; Timothy N. Pfeiffer, of New York City; and William E. Flynn, of North Platte, Nebr., were admitted to practice.

No. 138. The Chicago & Eastern Illinois Railroad Company, plaintiff in error, *v.* Collins Produce Company. In error to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Illinois. Opinion by Mr. Justice Clarke.

No. 187. Seufert Brothers Company, appellant, *v.* The United States of America as trustee and guardian of the Confederated Tribes and Bands of the Yakima Indians and Nations, and as

trustee and guardian of and *ex rel.* Sam Williams, and Sam Williams. Appeal from the District Court of the United States for the District of Oregon. Decree affirmed. Opinion by Mr. Justice Clarke.

No. 188. The United States of America, as trustee and guardian of the Confederated Tribes and Bands of the Yakima Indians and Nations, and as trustee and guardian of and *ex rel.* Sam Williams, and Sam Williams, appellants, *v.* Seufert Brothers Company. Appeal from the District Court of the United States for the District of Oregon. Dismissed. Opinion by Mr. Justice Clarke.

No. 167. Thomas Gilcrease, petitioner, *v.* G. R. McCullough, H. B. Martin, A. E. Bradshaw, and Al Brown. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 345. Abraham L. Sugarman, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the District of Minnesota. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Brandeis.

No. 134. The New York Central Railroad Company, successor of the New York Central & Hudson River Railroad Company, plaintiff in error, *v.* Anna C. Porter, for herself and her four minor children, Margaret Porter, Park Porter, Adele Porter, and Clarisse Porter, et al. In error to the Supreme Court, Appellate Division, Third Judicial Department of the State of New York. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke.

No. 149. Missouri & Arkansas Lumber & Mining Company, plaintiff in error, *v.* Greenwood District of Sebastian County, Ark., Claude Thompson, as sheriff, and Marshall Strozier, as treasurer. In error to the District Court of the United States for the Western District of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 195. The City of Richmond, petitioner, *v.* Elizabeth W. Bird, Loulie W. Nolting, and Charles E. Whitlock. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Virginia. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Day and Mr. Justice Clarke.

No. 25, Original. *Ex parte* in the matter of Whitney Steamboat Corporation, petitioner. Rule to show cause discharged and petition dismissed. Opinion by Mr. Justice Pitney.

No. 53. North Pacific Steamship Company, appellant, *v.* Hall Brothers Marine Railway & Shipbuilding Company. Appeal from the District Court of the United States for the Northern District of California. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 73. Robert F. Werk, and Robert F. Werk and Mrs. John Lewis Kennedy, copartners, doing business under the name of Robert F. Werk & Company, petitioners, *v.* F. Thomas Parker and J. Thomas Robey, copartners, doing business under the name of F. T. Parker Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Pitney.

No. 92. The Arkadelphia Milling Company, appellant, *v.* St. Louis Southwestern Railway Company and St. Louis, Iron Mountain & Southern Railway Company; and

No. 93. Joseph F. Hasty, Eliphalet F. Hasty, and William C. Hasty, composing the partnership of J. F. Hasty & Sons, appellants, *v.* St. Louis Southwestern Railway Company and St. Louis, Iron Mountain & Southern Railway Company. Appeals from the District Court of the United States for the Eastern District of Arkansas. Decree reversed with costs; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Pitney.

No. 94. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company; and

No. 95. St. Louis Southwestern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Appeals from the District Court of the United States for the Eastern District of Arkansas. Decree modified and affirmed with costs. Opinion by Mr. Justice Pitney.

No. 102. Charlie Middleton, plaintiff in error, *v.* Texas Power & Light Company. In error to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 111. Chicago Great Western Railroad Company, plaintiff in error, *v.* L. W. Basham, administrator of the estate of John J. Spellman, deceased. In error to the Supreme Court of the State of Iowa. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Pitney.

No. 50. L. A. Westermann Company, petitioner, *v.* The Dispatch Printing Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree reversed with

costs; and cause remanded to the District Court of the United States for the Southern District of Ohio for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. (Mr. Justice Day did not participate in the consideration or decision of this case.)

No. 197. Franklin Knight Lane, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office, appellants, *v.* The Pueblo of Santa Rosa. Appeal from the Court of Appeals of the District of Columbia. Decrees of the Court of Appeals of the District of Columbia and of the Supreme Court of the District of Columbia reversed with costs; and cause remanded to the Supreme Court of the District of Columbia with directions to overrule the motion to dismiss, to afford the defendants an opportunity to answer the bill, to grant an order restraining them from in anywise offering, listing, or disposing of any of the lands in question pending the final decree, and to take such further proceedings as may be appropriate and not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

Nos. 117 and 118. Alaska Pacific Fisheries, plaintiff in error, *v.* The Territory of Alaska. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 151. Alaska Salmon Company, plaintiff in error, *v.* The Territory of Alaska. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 142. William W. Withnell, plaintiff in error, *v.* Ruecking Construction Company. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 180. Compania General de Tabacos de Filipinas, appellant, *v.* Alhambra Cigar & Cigarette Manufacturing Company. Appeal from the Supreme Court of the Philippine Islands. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 184. James E. Whitehead, plaintiff in error, *v.* James O. Galloy, Winfield S. Pressgrove, the Travelers Insurance Company, and The Atkinson, Warren & Henley Company. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 367. The United States of America, plaintiff in error, *v.* C. T. Doremus. In error to the District Court of the United States for the Western District of Texas. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of

this court. Opinion by Mr. Justice Day. Dissenting: Mr. Chief Justice White, Mr. Justice McKenna, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 370. *W. S. Webb and Jacob Goldbaum v. The United States of America*. On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. First question certified answered in the affirmative. Second and third questions certified answered in the negative. Opinion by Mr. Justice Day. Dissenting: Mr. Chief Justice White, Mr. Justice McKenna, Mr. Justice Van Devanter, and Mr. Justice McReynolds.

No. 203. *Panama Railroad Company, plaintiff in error, v. Theodore Bosse*. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Canal Zone. Opinion by Mr. Justice Holmes.

No. 437. *Charles T. Schenck, plaintiff in error, v. The United States of America; and*

No. 438. *Elizabeth Baer, plaintiff in error, v. The United States of America*. In error to the District Court of the United States for the Eastern District of Pennsylvania. Judgments affirmed. Opinion by Mr. Justice Holmes.

No. 598. *Butte & Superior Copper Company (Limited), appellant, v. Clark-Montana Realty Company and Elm Orlu Mining Company*. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Motion to dismiss denied. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of Montana. Opinion by Mr. Justice McKenna.

No. 62. *G. S. Nicholas & Company et al., petitioners, v. The United States; and*

No. 63. *Alex. D. Shaw & Company et al., petitioners, v. The United States*. On writs of certiorari to the United States Court of Customs Appeals. Judgments affirmed; and causes remanded. Opinion by Mr. Justice McKenna.

No. 173. *The Harriman National Bank of New York, plaintiff in error, v. Harry H. Seldomridge, as receiver of the Mercantile National Bank of Pueblo, Colo.* In error to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York with instructions that after setting aside its judgment it take such further proceedings as may be in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. —. *Ex parte* in the matter of Albert Herschel de Propper. Order of admission vacated, the name of the respondent to be removed from the rolls, and the certificate evidencing his enrollment canceled. The Court expresses its grateful acknowledgment to the committee of the bar for the alacrity with which they responded to the request to take charge of the subject matter of the rule which has been disposed of by the order just stated, and for the promptness, intelligence, and efficiency with which they discharged their duty.

No. 206. L. C. Watson, as trustee in bankruptcy of Duncan & Company, F. P. Duncan and F. A. Duncan, bankrupts, plaintiff in error, *v.* George D. Motley. In Error to the Supreme Court of the State of Alabama. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the Act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 223. Alfred W. Church, appellant, *v.* Horace M. Swetland et al. Appeal from the United States Circuit Court of Appeals for the Second Circuit. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of (1) section 128 of the Judicial Code; *Stevenson v. Fain* (195 U. S., 165, 166); *Hull v. Burr* (234 U. S., 712, 720); *St. Anthony's Church v. Pennsylvania R. R. Co.* (237 U. S., 575, 577); *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis* (238 U. S., 439, 444); (2) *Farrell v. O'Brien* (199 U. S., 89, 100); *Empire State-Idaho Mining Co. v. Hanley* (205 U. S., 225, 232); *Goodrich v. Ferris* (214 U. S., 71, 79); *Brolan v. United States* (236 U. S., 216, 218).

No. 356. The United States *ex rel.* George W. Billerman, appellant, *v.* Matthew J. Long, criminal sheriff of the Parish of Orleans, State of Louisiana. Appeal from the District Court of the United States for the Eastern District of Louisiana. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien* (199 U. S., 89, 100); *Empire State-Idaho Mining Co. v. Hanley* (205 U. S., 225, 232); *Goodrich v. Ferris* (214 U. S., 71, 79); *Brolan v. United States* (236 U. S., 216, 218).

No. 419. R. A. Flanders, as trustee, etc., appellant, *v.* E. J. Coleman. Motion to place on summary docket granted.

No. 600. Frank W. Darling, plaintiff in error, *v.* City of Newport News. Motion to advance granted, and cause assigned for argument on Monday, April 14 next.

No. 731. Louis W. Hill, administrator, etc., plaintiff in error, *v.* Newton A. K. Bugbee, comptroller, etc., et al. Motion to advance granted, and cause assigned for argument after case No. 245.

No. 779. Oneida Navigation Corporation, claimant, appellant, *v.* W. & S. Job & Company (Inc.). Motion to advance for oral argument denied, but the case will be taken on printed briefs if counsel are so advised.

No. 784. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* O. W. Seay. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 798. Kate Richards O'Hare, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 801. Fox Typewriter Company, petitioner, *v.* August J. Oehring and Pratt & Whitney Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 814. Norfolk Southern Railroad Company, petitioner, *v.* Furney King. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 821. E. I. du Pont de Nemours & Company, petitioner, *v.* George C. Brisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 658. Ed C. Lasater, petitioner, *v.* Magnolia Petroleum Company et al. Petition for a writ of certiorari to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas denied.

No. 812. Atlanta National Bank, petitioner, *v.* William A. Fuller, Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 817. James Kenney, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 826. F. R. Glascock and the Deming Investment Company, petitioner, *v.* Ellis McDaniel et al., minors, by J. O. Cravens, guardian. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 830. Lehigh Valley Railroad Company, petitioner, *v.* New Jersey Fidelity and Plate Glass Insurance Company. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. —, Original. Ex parte In the matter of the United States of America, petitioner. Motion for leave to file petition for writ of prohibition and, or, a writ of mandamus submitted by Mr. Solicitor

General King in behalf of the Attorney General of the United States.

No. 563. Gabe E. Parker et al., appellants, *v.* Eastman Richard and R. D. Martin Company, administrators, etc. Motion to advance to be heard with No. 313 submitted by Mr. Solicitor General King for the appellants.

No. 186. William H. Odell, appellant, *v.* F. C. Farnsworth Company et al. Leave granted to withdraw appearance of Edmund H. Parry as counsel for the appellees on motion of Mr. Edmund H. Parry in that behalf.

No. 439. William P. Richardson, plaintiff in error, *v.* Liberty Oil Company et al. Motion to dismiss submitted by Mr. Harry Gamble for the defendants in error in support of the motion, and by Mr. E. J. Jacquet for the plaintiff in error in opposition thereto.

N.472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Motion to affirm or place on the summary docket submitted by Mr. T. Alan Goldsborough for the respondent in support of the motion, and by Mr. Frederick D. McKenney and Mr. John Spalding Flannery for the petitioner in opposition thereto.

No. 865. Alexander Berkman and Emma Goldman, plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Harry Weinberger for the plaintiffs in error.

No. —. Jose de Guzman et al., petitioners, *v.* Faustino Lichauco. Motion to extend time in which to file and submit petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Richard Campbell for the petitioners.

No. 818. Frances B. Foster, suing for herself and surviving children of A. G. Foster, deceased, petitioner, *v.* J. L. Lancaster and Pearl Wight, receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William H. Winter for the petitioner, and by Mr. George Thompson for the respondent.

No. 829. J. F. Weeks et al., petitioners, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. H. Winter in behalf of Mr. George E. Wallace for the petitioners, and by Mr. Gardiner Lathrop, Mr. J. W. Terry, and Mr. A. H. Culwell for the respondents.

No. 810. American Railroad Company of Porto Rico, petitioner, *v.* The People of Porto Rico. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frederic D. McKenney in behalf of Mr. Francis H.

Dexter for the petitioner, and by Mr. Edward S. Bailey and Mr. Howard L. Kern for the respondent.

No. 863. The Pennsylvania Railroad Company, petitioner, *v.* Kit-taning Iron & Steel Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Frederic D. McKenney and Mr. Henry Wolf Bikle for the petitioner.

No. 485. William Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway. Motion to place on the summary docket submitted by Mr. John P. Gray for the petitioner in support of the motion, and by Mr. Heman H. Field and Mr. George W. Korte for the respondent in opposition thereto.

No. 844. The Commonwealth of Massachusetts, petitioner, *v.* The Liquid Carbonic Company. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts submitted by Mr. William Harold Hitchcock for the petitioner, and by Mr. Charles A. Snow and Mr. William P. Everts for the respondent.

No. —, Original. Ex parte In the matter of John F. Deitz, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. Frederick S. Tyler in behalf of the petitioner.

No. 374. Mackay Telegraph & Cable Company, plaintiff in error, *v.* The City of Little Rock. Motion to dismiss or affirm submitted by Mr. James W. Mehaffy for the defendant in error in support of the motion, and by Mr. J. C. Marshall for the plaintiff in error in opposition thereto.

No. 606. H. A. Jastro and A. B. McMillen, plaintiffs in error, *v.* Elias Francis et al. Motion to dismiss or affirm or place on the summary docket submitted by Mr. Bernard S. Rodey for the defendants in error in support of the motion, and by Mr. Alexander Britton, Mr. F. W. Clements, and Mr. Alonzo B. McMillen for the plaintiffs in error in opposition thereto.

No. 482. Dorsey Land & Lumber Company, plaintiff in error, *v.* Board of Directors of Garland Levee District. In Error to the Supreme Court of the State of Arkansas. Dismissed with costs per stipulation.

No. 834. U. B. Buskirk and S. M. Croft, as partners composing Kentucky River Hardwood Company, plaintiffs in error, *v.* Isham Caudill, as Administrator, etc. In error to the Court of Appeals of the State of Kentucky. Dismissed with costs, on motion of counsel for the plaintiffs in error.

No. 417. D. G. McKinley et al., plaintiffs in error, *v.* The United States of America. Submitted by Mr. Robert Douglas Feagin for

the plaintiffs in error, and by Mr. Assistant Attorney General Porter and Mr. W. C. Herron for the defendant in error.

No. 599. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company. Passed, on account of sickness of counsel, on motion of Mr. Frederic D. McKenney for the petitioners.

No. 543. Gideon M. Freeman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. C. W. Pendleton, jr., for the petitioner.

No. 823. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* J. F. McBride. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Thomas S. Buzbee for the petitioner, and by Mr. Thomas M. Seawell and Mr. Frank Pace for the respondent.

No. 824. Railroad Commission of the State of California, petitioner, *v.* J. C. Allen et al. Petition for a writ of certiorari to the Supreme Court of the State of California submitted by Mr. Douglas Brookman for the petitioner, and by Mr. Hugh L. Dickson for the respondents.

No. 825. Elgin, Joliet & Eastern Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. William D. McKenzie for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 827. Joseph P. Keefe, trustee, etc., petitioner, *v.* Worcester Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Arthur T. Johnson for the petitioner, and by Mr. Edmund K. Arnold for the respondent.

No. 831. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William D. Mitchell and Mr. Pierce Butler for the petitioner, and by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent.

No. 836. John Rudolph, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander S. Drescher for the petitioner.

No. 839. The Cincinnati, New Orleans & Texas Pacific Railway Company, petitioner, *v.* William Sheridan. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Edward Colston and Mr. George Hoadly for the petitioner,

and by Mr. J. H. Frantz and Mr. Charles M. Seymour for the respondent.

No. 842. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Okla. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Charles L. Moore and Mr. George P. Glaze for the petitioner.

No. 857. H. E. Kirchner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William Beard and Mr. J. W. Vandervoort for the petitioner, and by Mr. John Lord O'Brian and Mr. Alfred Bettman for the respondent.

No. 858. The City of New York, petitioner, *v.* Arthur Carter Hume, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William P. Burr for the petitioner, and by Mr. Joseph A. Kellogg for the respondent.

No. 859. L. P. Larson, Jr., Company, petitioner, *v.* Mint Products Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. George I. Haight, Mr. Charles H. Aldrich, and Mr. Frank F. Reed for the petitioner, and by Mr. James R. Offield for the respondent.

No. 861. Charles K. Duncan, as trustee, etc., petitioner, *v.* American Trust & Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Claude D. Ritter for the petitioner, and by Mr. Forney Johnston for the respondent.

No. 882. David J. Kreuzer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Shepard Barlay for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

No. 884. The St. Charles Amusement & Transportation Company, petitioner, *v.* Ludwig B. Elhardt et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Lowrie C. Barton for the petitioner, and by Mr. T. A. Wright and Mr. Will D. Wright for the respondents.

No. 885. Samuel Bernstein, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Robert H. Talley for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

No. 373. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. Argued by Mr. George R. Allen for the plaintiff in error, and by Mr. Thaddeus A. Adams for the defendants in error.

No. 7, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Argument commenced by Mr. Herbert Pope for the complainant, and continued by Mr. Garner W. Green for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 4, will be as follows: Nos. 7 Original, 171, 10 Original, 591, 585, 682, 649, 441, 815 (and 816), and 828.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 5, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Earl H. Beshlin, of Warren, Pa.; John M. Taylor, of Claremore, Okla.; Richard A. Billups, of Cordell, Okla.; Louis E. Giles, of New York City; Victor D. Sprague, of Cheboygan, Mich.; James E. O'Connell, of Boston, Mass.; Charles B. Henderson, of Elko, Nev.; Roscoe A. Goodcell, of San Bernardino, Cal.; George L. Popert, of Sacramento, Cal.; and Fulton H. Creech, of New York City, were admitted to practice.

No. 161. Southern Pacific Company, plaintiff in error, *v.* John Newman. Submitted by Mr. William F. Herrin, Mr. Henry T. Gage, Mr. William I. Gilbert, Mr. Henley C. Booth, and Mr. C. F. R. Ogilby for the plaintiff in error, and by Mr. Frank A. Jeffers for the defendant in error.

No. 208. The State of California, plaintiff in error, *v.* Mono County Irrigation Company. Submitted by Mr. U. S. Webb for the plaintiff in error. No appearance for the defendant in error.

No. 209. The State of California, plaintiff in error, *v.* Pacific Power Company. Submitted by Mr. U. S. Webb for the plaintiff in error. No appearance for the defendant in error.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. Argument continued by Mr. Mark Goode for the respondent, and concluded by Mr. Solicitor General King for the petitioner.

No. 585. The United States of America, appellant, *v.* The Southern Pacific Company et al. Four and one-half hours allowed for the argument, on motion of Mr. Assistant Attorney General Kearful in that behalf. Argument commenced by Mr. J. Crawford Biggs for the appellant, and continued by Mr. Charles R. Lewers for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 6, will be as follows: Nos. 585, 682, 649, 441, 815 (and 816), 828, 168, 213, 214, and 215.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 6, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Robert E. Cunningham, of Great Falls, Mont., and Charles Geisenfeld, of Milwaukee, Wis., were admitted to practice.

No. 585. The United States of America, appellant, *v.* The Southern Pacific Company et al. Argument continued by Mr. Charles R. Lewers for the appellees, and concluded by Mr. Assistant Attorney General Kearful for the appellant.

No. 682. Bessie Tyrrell, etc., petitioner, *v.* Charles B. Shaffer et al. Submitted by Mr. Henry B. Martin and Mr. Richard Clyde Allen for the petitioner, and by Mr. Malcolm E. Rosser for the respondents.

No. 649. Alvah Crocker et al., trustees, petitioners, *v.* John F. Malley, Collector of Internal Revenue, etc. Argued by Mr. Felix Rackemann for the petitioners, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 441. The United States ex rel. William F. Arant, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Argument commenced by Mr. H. Prescott Gatley for the plaintiff in error.

Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 7, will be as follows: Nos. 441, 815 (and 816), 828, 168, 213, 214, 215, 216, 219, and 220.

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SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 7, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Frank Wisdom, of Bedford, Iowa, Herbert P. Whitney, of Toledo, Ohio, Frank N. Nay, of Boston, Mass., Tom Scofield Patterson, of Seattle, Wash, William B. Walton, of Silver City, N. Mex., Edward D. Tittmann, of Hillsboro, N. Mex., and Robert Crosser, of Cleveland, Ohio, were admitted to practice.

No. 441. The United States ex rel. William F. Arant, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. Argument continued by Mr. H. Prescott Gatley for the plaintiff in error, and concluded by Mr. Assistant Attorney General Brown for the defendant in error.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burleson et al.; and

No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burleson et al. Two hours allowed each side for argument on motion of Mr. Charles E. Hughes in that behalf. Argument commenced by Mr. Charles E. Hughes for the appellants, continued by Mr. Solicitor General King for the appellees, and concluded by Mr. Charles E. Hughes for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 10, will be as follows: Nos. 828, 168, 213, 214, 215, 216, 219, 220 (and 2), 201, and 204.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 10, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Cortland A. Johnson, of New York City; H. J. Pinkett, of Omaha, Nebr.; Mason Trowbridge, of New York City; Morley K. Dunn, of New York City; G. P. Dougherty, of Thurber, Tex.; John W. Oast, jr., of Norfolk, Va.; Anson M. Lyman, of Boston, Mass.; Henry R. Scott, of Boston, Mass.; Graham Foster, of New York City; John I. Negley, of Omaha, Nebr.; Wilbur H. Close, of Webster Groves, Mo.; Nathan Isaacs, of Cincinnati, Ohio; Howard L. Bevis, of Cincinnati, Ohio; and John F. Finerty, of St. Paul, Minn., were admitted to practice.

No. 132. Baltimore & Ohio Railroad Company and Baltimore & Ohio Southwestern Railroad Company, petitioners, *v.* J. G. Leach. On writ of certiorari to the Court of Appeals of the State of Kentucky. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Mr. Justice Pitney and Mr. Justice Brandeis concur in the result. Dissenting: Mr. Justice Clarke and Mr. Justice McKenna.

No. 685. Jacob Frohwerk, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Missouri. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 714. Eugene V. Debs, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of Ohio. Judgment affirmed. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the Court:

No. 161. Southern Pacific Company, plaintiff in error, *v.* John Newman. In error to the Superior Court of Los Angeles County,

State of California. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. L., 726.

No. 208. The State of California, plaintiff in error, *v.* Mono County Irrigation Company. In error to the District Court of Appeal, Third Appellate District, State of California. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. L., 726.

No. 209. The State of California, plaintiff in error, *v.* Pacific Power Company. In error to the District Court of Appeal, Third Appellate District, State of California. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. L., 726.

No. 606. H. A. Jastro et al., plaintiffs in error, *v.* Elias Francis et al. In error to the Supreme Court of the State of New Mexico. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien* (199 U. S., 89, 100); *Empire State-Idaho Mining Co. v. Hanley* (205 U. S., 225, 232); *Goodrich v. Ferris* (214 U. S., 71, 79); *Brolan v. United States* (236 U. S., 216, 218).

No. 682. Bessie Tyrrell, etc., petitioner, *v.* Charles B. Shaffer et al. On writ of certiorari to the Supreme Court of the State of Oklahoma. *Per curiam*: Affirmed upon the authority of *Gilcrease v. McCullough et al.*, decided March 3, 1919.

No. 375. Charles B. Shaffer, appellant, *v.* E. B. Howard, State auditor, etc., et al. Appeal from the District Court of the United States for the Eastern District of Oklahoma. *Per curiam*: Decree reversed with costs; and cause remanded with directions to dismiss the bill for want of proper parties.

No. 3, Original. The People of the State of New York, complainants, *v.* The State of New Jersey and Passaic Valley Sewerage Commissioners. Restored to the docket for further argument after the coming in of additional testimony; James D. Maher, Esq., appointed commissioner to take and return this testimony; defendants' additional testimony in chief to be concluded by June 15, complainants' by August 15, and defendants' in rebuttal by the 15th of September.

No. —, Original. *Ex parte* in the matter of The United States, petitioner. Motion for leave to file petition for writs of prohibition and mandamus herein granted and a rule to show cause awarded returnable Monday, April 14, next.

No. —, Original. *Ex parte* in the matter of John F. Deitz, petitioner. Motion for leave to file petition for a writ of habeas corpus herein denied.

No. —, Original. State of Georgia, complainant, *v.* State of South Carolina. Motion for leave to file bill of complaint herein granted, and process ordered to issue returnable on the first day of the next term.

No. —. Jose de Guzman et al., petitioners, *v.* Faustino Lichauco. Motion to extend the time in which to print and file the record in support of the petition for a writ of certiorari previously presented herein granted, and the time extended until the receipt of the printed transcript of the record in the case.

No. 563. Gabe E. Parker et al., appellants, *v.* Eastman Richard and R. D. Martin Co., administrators, etc. Motion to advance for hearing with case No. 313 granted.

No. 865. Alexander Berkman and Emma Goldman, plaintiffs in error, *v.* The United States of America. Motion to advance granted, and case assigned for argument on Monday, April 14 next, after the case heretofore assigned for that day.

No. 485. William Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway. Motion to place on summary docket granted.

No. 472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Motion to place on summary docket granted.

No. 439. William P. Richardson, plaintiff in error, *v.* Liberty Oil Company et al. Motion to dismiss denied.

No. 831. Canadian Northern Railway Company, petitioner, *v.* Gus Eggen. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 842. George R. Broadwell, petitioner, *v.* The Board of County Commissioners of Carter County, Okla. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 857. H. E. Kirchner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit granted.

No. 863. The Pennsylvania Railroad Company, petitioner, *v.* Kitting Iron & Steel Manufacturing Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania granted.

No. 543. Gideon M. Freeman, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 810. American Railroad Company of Porto Rico, petitioner, *v.* The People of Porto Rico. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 818. Frances B. Foster, suing for herself and surviving children of A. G. Foster, deceased, petitioner, *v.* J. L. Lancaster and Pearl Wight, receivers, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 823. The Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* J. F. McBride. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 824. Railroad Commission of the State of California, petitioner, *v.* J. C. Allen et al. Petition for a writ of certiorari to the Supreme Court of the State of California denied.

No. 825. Elgin, Joliet & Eastern Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 827. Joseph P. Keefe, trustee, etc., petitioner, *v.* Worcester Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 829. J. F. Weeks et al., petitioners, *v.* The Atchison, Topeka & Santa Fe Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 836. John Rudolph, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 839. The Cincinnati, New Orleans & Texas Pacific Railway Company, petitioner, *v.* William Sheridan. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 844. The Commonwealth of Massachusetts, petitioner, *v.* The Liquid Carbonic Company. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts denied.

No. 858. The City of New York, petitioner, *v.* Arthur Carter Hume, as receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 859. L. P. Larson, Jr., Company, petitioner, *v.* Mint Products Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 861. Charles K. Duncan, as trustee, etc., petitioner, *v.* American Trust and Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 882. David J. Kreuzer, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 884. The St. Charles Amusement & Transportation Company, petitioner, *v.* Ludwig B. Elhardt et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 885. Samuel Bernstein, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 892. The Bisight Company and Benjamin Mayer, petitioners, *v.* Onepiece Bifocal Lens Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Cyrus N. Anderson for the petitioner, and by Mr. Edward Rector and Mr. V. H. Lockwood for the respondent.

No. 904. Oliver R. Gillespie and Martha Morgan, petitioners, *v.* E. D. Scott, trustee of the bankrupt estate of Oliver R. Gillespie, bankrupt. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Frans E. Lindquist for the petitioners.

No. —, Original. *Ex parte* in the matter of Wilfred A. Tompkins, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein submitted by Mr. Frans E. Lindquist for the petitioner.

No. 846. Iowa Central Railway Company, petitioner, *v.* J. W. Breen. Petition for a writ of certiorari to the Supreme Court of the State of Iowa submitted by Mr. J. F. Finerty in behalf of Mr. C. H. E. Boardman for the petitioner and by Mr. Milton Remley for the respondent.

No. 880. New York, Philadelphia & Norfolk Railroad Company, petitioner, *v.* Lillie Wilkins, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Floyd Hughes and Mr. Thomas H. Wilcox for the petitioner and by Mr. John W. Oast, jr., for the respondent.

No. 866. Zenith Carburetor Company, petitioner, *v.* Stromberg Motor Devices Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Melville D. Church in behalf of Mr. Clarence P. Byrnes and Mr. Melville Church for the petitioner and by Mr. Charles A. Brown for the respondent.

No. —, Original. The State of Kansas, complainant, *v.* Albert S. Burleson, Postmaster General, etc., et al. Motion for leave to file a bill of complaint herein submitted by Mr. A. E. Helm for the complainant.

No. 80. James H. Cochnower, appellant, *v.* The United States. Motion to amend judgment submitted by Mr. L. T. Michener and Mr. William E. Russell for the appellant in support of the motion.

No. 418. City of Chicago et al., plaintiffs in error, *v.* Thomas E. Dempcy, as chairman, etc., et al. Motion to dismiss as to certain plaintiffs in error submitted by Mr. W. W. Gurley, Mr. Harry P. Weber, and Mr. George W. Miller for Chicago City Railway Company, Chicago Railways Company, Calumet & South Chicago Railway Company, and The Southern Street Railway Company, four of the plaintiffs in error, in support of the motion, and by Mr. Samuel A. Ettelson and Mr. Chester E. Cleveland for The City of Chicago, one of the plaintiffs in error, in opposition thereto.

No. 819. Chicago, Milwaukee & St. Paul Railway Company and Wabash Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. L. Minnis, Mr. Burton Hanson, and Mr. John C. Cook for the petitioner, and by Mr. F. W. Lehmann for the respondents.

No. 820. Des Moines Union Railway Company et al., petitioners, *v.* Chicago, Milwaukee & St. Paul Railway Company and Wabash Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. F. W. Lehmann for the petitioners, and by Mr. John C. Cook, Mr. Burton Hanson, and Mr. James L. Minnis for the respondents.

No. 860. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. M. W. Acheson, jr., for the petitioner.

No. 862. The Nulomoline Company, petitioner, *v.* Julius Stromeier, trading as Julius Stromeier & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Chester N. Farr, jr., for the petitioner, and by Mr. Michael J. Ryan for the respondent.

No. 872. H. M. Luck, executrix, etc., petitioner, *v.* Abram P. Staples, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. W. L. Welborn for the petitioner, and by Mr. Abram P. Staples for the respondent.

No. 889. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, jr., and William F. Gray. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Emanuel J. Myers, Mr. Gordon S. P. Kleeberg, and Mr. Lindley M. Garrison for the petitioners, and by Mr. Henry Buist and Mr. William St. John Tozer for the respondents.

No. 891. St. Louis Southwestern Railway of Texas, petitioner, *v.* Frank Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Blackburn Esterline in behalf of Mr. E. B. Perkins for the petitioner.

No. 896. Amey Haney et al., petitioners, *v.* Albert Anderson et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Malcolm E. Rosser for the petitioners.

No. 903. Frederick H. Clarke and Henry F. Clarke, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. George Haldorn for the petitioners.

No. 828. The United States, plaintiff in error, *v.* Colgate & Company. Argued by Mr. Assistant to the Attorney General Todd for the plaintiff in error and by Mr. Charles E. Hughes for the defendant in error.

No. 168. The United States, appellant, *v.* The Purcell Envelope Company. Argued by Mr. Assistant Attorney General Frierson for the appellant and by Mr. Arthur Black for the appellee.

No. 213. Jennie Lathrop Rand, appellant, *v.* The United States. Death of Jennie Lathrop Rand, the appellant herein, suggested, and the appearance of Henry L. Rand and Edward L. Rand, executors of the estate of Jennie Lathrop Rand, deceased, filed and entered, on motion of Mr. H. T. Newcomb for the appellant.

No. 213. Henry L. Rand and Edward L. Rand, executors of the estate of Jennie Lathrop Rand, deceased, appellants, *v.* The United States. Argument commenced by Mr. H. T. Newcomb for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 11, will be as follows: Nos. 213, 214, 215, 216, 219, 220 (and 2), 201, 204, 178, and 222.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 11, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Jo Johnson, of Fort Smith, Ark., Edward D. Noonan, of Baltimore, Md., and Percy S. Webster, of Stockton, Cal., were admitted to practice.

No. 178. Dominion Hotel, Inc., plaintiff in error, *v.* The State of Arizona. Submitted by Mr. Harvey M. Friend for the plaintiff in error, and by Mr. Wiley E. Jones for the defendant in error.

No. 222. Takao Ozawa *v.* The United States. Passed, on motion of Mr. Assistant Attorney General Brown for the United States.

No. 213. Henry L. Rand and Edward L. Rand, executors of the estate of Jennie Lathrop Rand, deceased, appellants, *v.* The United States. Argument continued by Mr. H. T. Newcomb for the appellants, and concluded by Mr. Assistant Attorney General Brown for the appellee.

No. 214. Henry A. Wise, trustee, etc., appellant, *v.* the United States. Argued by Mr. William B. King for the appellant, and by Mr. Assistant Attorney General Brown for the appellee.

No. 215. Skinner & Eddy Corporation, appellant, *v.* The United States of America et al. Three counsel allowed to make oral argument for the appellees, and one-half hour additional allowed each side, on motion of Mr. Assistant Attorney General Frierson in that behalf. Argument commenced by Mr. Joseph N. Teal for the appellant, continued by Mr. Assistant Attorney General Frierson for the United States, by Mr. Albert L. Hopkins for the Interstate Commerce Commission, by Mr. John F. Finerty for the railroad companies, and concluded by Mr. Joseph N. Teal for the appellant.

No. 201. The United States, appellant, *v.* The Atchison, Topeka & Santa Fe Railway Company. Argument commenced by Mr. Assistant Attorney General Brown for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 12, will be as follows: Nos. 201, 216, 219, 220 (and 2), 204, 225, 226, 227, 228, and 230.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 12, 1912.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William M. Parke, of New York City, and Louis L. Thrasher, of Jamestown, N. Y., were admitted to practice.

No. 201. The United States, appellant, *v.* The Atchison, Topeka & Santa Fe Railway Company. Argument continued by Mr. Assistant Attorney General Brown for the appellant, by Mr. Alexander Britton for the appellee, and concluded by Mr. Assistant Attorney General Brown for the appellant.

No. 216. Isabel Kouns O'Pry, etc., et al., appellants, *v.* The United States. Argued by Mr. George A. King for the appellants, and by Mr. Assistant Attorney General Brown for the appellee.

No. 219. Franklin K. Lane, Secretary of the Interior, appellant, *v.* Joseph J. Darlington et al., trustees, etc. Argued by Mr. Assistant Attorney General Kearful for the appellant and by Mr. Francis W. Clements for the appellee.

No. 220. St. Louis Poster Advertising Company, plaintiff in error, *v.* The City of St. Louis et al.; and

No. 2. The St. Louis Poster Advertising Company, appellant, *v.* City of St. Louis et al. Argument commenced by Mr. Marion C. Early for the plaintiff in error and appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 13, will be as follows: Nos. 220 (and 2), 204, 225, 226, 227, 228, 230, 231, 234, and 238.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 13, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Shepard J. Crumpacker, of South Bend, Ind.; Walter M. Purvis, of Little Rock, Ark.; Harry Bronworth, of Cincinnati, Ohio; Harry H. Schutte, of Brooklyn, N. Y.; Edward Galvin Griffin, of Albany, N. Y.; Frederick W. Bisgood, of New York City; Harry W. Reynolds, of Hartford, Conn.; David Ezekiel Henderson, of Charlotte, N. C.; and Rogers MacVeagh, of Portland, Oreg., were admitted to practice.

No. 152. Douglas Park Jockey Club, plaintiff in error, *v.* T. H. Talbott et al., composing Kentucky State Racing Commission. In error to the Court of Appeals of the State of Kentucky. Dismissed with costs per stipulation.

No. 238. Southern Pacific Co., plaintiff in error, *v.* The State of Arizona. Submitted by Mr. C. W. Durbrow, Mr. Henley C. Booth, and Mr. William F. Herron for the plaintiff in error, and by Mr. Wiley E. Jones for the defendant in error.

No. 220. St. Louis Poster Advertising Company, plaintiff in error, *v.* The City of St. Louis et al.; and

No. 2. The St. Louis Poster Advertising Company, appellant, *v.* City of St. Louis et al. Argument continued by Mr. Marion C. Early for the plaintiff in error and appellant, and concluded by Mr. Everett Paul Griffin for the defendants in error and appellees.

No. 204. Lake Erie & Western Railroad Company, plaintiff in error, *v.* The State Public Utilities Commission of Illinois ex rel. J. S. Cameron. Argued by Mr. C. S. Schneider for the defendant in error, and submitted by Mr. George B. Gillespie for the plaintiff in error.

No. 225. Mrs. M. E. Sims et al., plaintiffs in error, *v.* W. H. Start et al. Argued by Mr. G. B. Dougherty for the plaintiffs in error. No counsel appeared for the defendants in error.

No. 226. The Ann Arbor Railroad Company, plaintiff in error, *v.* Stephen Manoloff. Argued by Mr. Albert H. Miller for the defend-

ant in error, and submitted by Mr. Alexander L. Smith for the plaintiff in error.

No. 227. Ball Engineering Company, petitioner, *v.* J. G. White & Company. Argument commenced by Mr. William M. Parke for the petitioner, continued by Mr. Harry W. Reynolds and Mr. J. Kemp Bartlett for the respondent, and concluded by Mr. Charles D. Lockwood for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 14, will be as follows: Nos. 228, 230, 231, 234, 239, 240, 241, 242, 243, and 245 (and 731).

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 14, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Ven Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Sherwin A. Hill, of Detroit, Mich., Ralph F. Potter, of Chicago, Ill., Robert H. Neilson, of New York City, William M. Toomer, of Jacksonville, Fla., were admitted to practice.

No. 239. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* Oresta Da Vella, Royal Italian consul, as administrator, etc. Submitted by Mr. Elroy N. Clark and Mr. William C. Prentiss for the plaintiff in error, and by Mr. F. W. Sanborn for the defendant in error.

No. 243. J. Eugene Jordan, plaintiff in error, *v.* The Board of Medical Examiners of the State of Washington. Continued, per stipulation.

No. 228. Standard Computing Scale Company, Limited, appellant, *v.* John F. Farrell, as State Superintendent of Weights and Measures, etc. Argued by Mr. H. C. Smyth for the appellant, and by Mr. Edward G. Griffin for the appellee.

No. 230. The Board of Public Utility Commissioners, appellant and plaintiff in error, *v.* The Manila Electric Railroad & Light Company. Argued by Mr. Edward S. Bailey for the appellant and plaintiff in error, and by Mr. Robert H. Neilson for the appellee and defendant in error.

No. 231. Capitol Transportation Company, petitioner, *v.* Cambria Steel Company. Argument commenced by Mr. J. Parker Kirlin for the petitioner and continued by Mr. Francis S. Laws for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 17, will be as follows: Nos. 231, 234, 240, 241, 242, 245 (and 731), 247, 249, 250, and 251.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 17, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Charles A. Hammer, of Harrisonburg, Va.; Edward C. Stearns, of Reno, Nev.; Ralph B. Evans, of Philadelphia, Pa.; Frank E. Harkness, of Chicago, Ill.; Thomas H. Sheridan, of Chicago, Ill.; Edward T. Burk, of Bismarck, N. Dak.; Abram B. Stratton, of Chicago, Ill.; Walter William Burns, of Washington, D. C.; Francis S. Maguire, of Washington, D. C.; Louis H. Warner, of Northampton, Mass.; and George L. Pendleton, of Baltimore, Md., were admitted to practice.

No. 169. Postal Telegraph-Cable Company, appellant, *v.* City of Richmond. Appeal from the District Court of the United States for the Eastern District of Virginia. Decree affirmed with costs. Opinion by Mr. Justice Clarke.

No. 148. Gratiot County State Bank, petitioner, *v.* D. Lloyd Johnson, as trustee of the St. Louis Chemical Company, bankrupt. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 277. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver of the Kansas Natural Gas Company et al.;

No. 329. Kansas City, Missouri; The Public Service Commissioner of the State of Missouri et al., appellants, *v.* John M. Landon, receiver of the Kansas Natural Gas Company et al.;

No. 330. Kansas City Gas Company, The Wyandotte County Gas Company et al., appellants, *v.* Kansas Natural Gas Company, John M. Landon, and George F. Sharitt, receivers, and Fidelity Title and Trust Company; and

No. 353. The Public Utilities Commission of the State of Kansas et al., appellants, *v.* John M. Landon, as receiver of the Kansas Natural Gas Company et al. Appeals from the District Court of the United States for the District of Kansas. Decree reversed with costs, and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 649. Alvah Crocker et al., trustees, etc., petitioners, *v.* John F. Malley, collector of internal revenue. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Judgment of the Circuit Court of Appeals reversed with costs, and judgment of the District Court of the United States for the District of Massachusetts affirmed with costs; and cause remanded to the said District Court. Opinion by Mr. Justice Holmes.

No. 10. Original. The State of South Dakota, complainant, *v.* Charles B. Collins. Judgment for complainant. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 418. City of Chicago et al., plaintiffs in error, *v.* Thomas E. Dempcy, as chairman, etc., et al. In error to the Supreme Court of the State of Illinois. Per curiam: The motion of the Chicago City Railway Company, Chicago Railways Company, Calumet & South Chicago Railway Company, and the Southern Street Railway Company, for leave "to withdraw as plaintiffs in error in said case and to discontinue the writ of error as to them" is granted upon the condition that the exercise of the permission to withdraw shall be a consent to a severance and without prejudice to the right of the city of Chicago to prosecute its writ of error to a final conclusion.

No. 373. Supreme Conclave, Improved Order of Heptasophs, plaintiff in error, *v.* William Marshall Wilson. In error to and on petition for writ of certiorari to the Supreme Court of the State of North Carolina. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (Chapter 448, 39 Stats. L., 726). Petition for writ of certiorari denied.

No. 226. The Ann Arbor Railroad Company, plaintiff in error, *v.* Stephen Manoloff. In error to the Court of Appeals, Sixth Appellate District of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (chapter 448, 39 Stats. L., 726).

No. 239. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* Oresta Da Vella, Royal Italian Consul, as administrator,

etc. In error to the Supreme Court of the State of Colorado. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6; 1916 (chapter 448, 39 Stats. L., 726).

No. 225. Mrs. M. E. Sims et al., plaintiffs in error, *v.* W. H. Stark et al. In error to the District Court of the United States for the Eastern District of Texas. Per curiam: Dismissed for want of jurisdiction upon the authority of *Aspen Mining & Smelting Co. v. Billings* (150 U. S., 31, 37); *Brown v. Alton Water Co.* (222 U. S., 325, 332-334). See *Red Jacket, jr., Coal Co. et al. v. United Thacker Coal Company, Point 3*, decided October 21, 1918; *Omaha Baum Iron Stove Co. v. Moline Plow Co.* (244 U. S., 650).

No. —, Original. Ex parte In the matter of Wilfred Tompkins. Motion for leave to file petition for a writ of habeas corpus herein denied.

No. —, Original. The State of Kansas, complainant, *v.* Albert S. Burluson, Postmaster General, etc., et al. Motion for leave to file bill of complaint herein granted, and process ordered to issue returnable on the first day of the next term.

No. 819. Chicago, Milwaukee & St. Paul Railway Company and Wabash Railway Company, petitioners, *v.* Des Moines Union Railway Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 820. Des Moines Union Railway Company et al., petitioners, *v.* Chicago, Milwaukee & St. Paul Railway Company and Wabash Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 889. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, jr., and William F. Gray. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 846. Iowa Central Railway Company, petitioner, *v.* J. W. Breen. Petition for a writ of certiorari to the Supreme Court of the State of Iowa denied.

No. 862. The Nulomoline Company, petitioner, *v.* Julius Stromeyer, trading as Julius Stromeyer & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 866. Zenith Carburetor Company, petitioner, *v.* Stromberg Motor Devices Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 872. H. M. Luck, executrix, etc., petitioner, *v.* Abram P. Staples, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 880. New York, Philadelphia & Norfolk Railroad Company, petitioner, *v.* Lillie Wilkins, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 891. St. Louis Southwestern Railway of Texas, petitioner, *v.* Frank Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 892. The Bisight Company and Benjamin Mayer, petitioners, *v.* Onepiece Bifocal Lens Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 896. Amey Haney et al., petitioners, *v.* Albert Anderson et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 903. Frederick H. Clarke and Harry F. Clarke, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 904. Oliver R. Gillespie and Martha Morgan, petitioners, *v.* E. D. Scott, trustee, etc. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 874. Edward A. Rumley, appellant, *v.* Thomas D. McCarthy, U. S. Marshal, etc., et al. Motion to advance submitted by Mr. Solicitor General King for the appellee.

No. 881. The United States of America, appellant, *v.* The Board of County Commissioners of Osage County, Oklahoma, et al. Motion to advance submitted by Mr. Solicitor General King for the appellant.

No. 431. The Brainerd, Shaler & Hall Quarry Company, plaintiff in error, *v.* Wilson B. Brice, as sole surviving executor, etc., et al. Advanced, under the 32d rule, on motion of Mr. E. D. Worcester for the plaintiff in error, and submitted by Mr. E. D. Worcester for the plaintiff in error, and by Mr. Bronson Winthrop for the defendant in error.

No. 759. Alex. J. Groesbeck et al., appellants, *v.* Duluth, South Shore & Atlantic Railway Company. Motion to advance submitted by Mr. John E. Tracy for the appellee.

No. 492. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Motion to advance submitted by Mr. William Watson Smith for the plaintiff in error.

No. 708. The United States, appellant, *v.* Conrad S. Babcock. Motion to transfer to the summary docket submitted by Mr. George A. King, Mr. William B. King, and Mr. William E. Harvey for the appellee.

No. 915. The United States, appellant, *v.* Herbert B. Hayden. Motion to transfer to the summary docket submitted by Mr. George A. King, Mr. William B. King, and Mr. William E. Harvey for the appellee.

No. 854. Daly-West Mining Company et al., petitioners, *v.* Catherine Savage et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William H. King and Mr. Hiram E. Booth for the petitioner.

No. —, Original. *Ex parte* in the matter of Christoffer Hannevig and Vidkunn Johnsen, petitioners. Motion for leave to file petition for writs of prohibition, mandamus, and certiorari submitted by Mr. Barry Mohun in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury for the petitioners.

No. 914. Mark Eisner, as Collector of United States Internal Revenue, etc., plaintiff in error, *v.* Myrtle H. Macomber. Motion to advance submitted by Mr. Frederick S. Tyler in behalf of counsel for the appellee.

No. 873. Edward E. Gold and Gold Car Heating & Lighting Company, petitioners, *v.* James T. Newton, Commissioner of Patents. Leave granted to file a brief as *amicus curiae* on motion of Mr. Grafton L. McGill in that behalf.

No. 250. John E. Roller, plaintiff in error, *v.* O. B. Cooley. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed with costs, pursuant to the 16th rule, on motion of Mr. Chas. A. Hammer for the defendant in error.

No. 849. C. C. Calhoun, petitioner, *v.* Bland Massie. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia submitted by Mr. John C. Brooke in behalf of Mr. Charles F. Consaul for the petitioner.

No. 852. Southern Railway Company, petitioner, *v.* Hugh Petit and Newberger Cotton Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Caruthers Ewing and Mr. H. O'B. Cooper for the petitioner, and by Mr. Julian C. Wilson and Mr. Walter P. Armstrong for the respondents.

No. 853. North American Telegraph Company, petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Royal A. Stone, Mr. Thomas D. O'Brien, Mr. Edward T. Young, and Mr. Alexander E. Horn for the petitioner, and by Mr. Charles W. Bunn for the respondent.

No. 867. Troy Deason, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit submitted by Mr. H. P. Brown for the petitioner.

No. 873. Edward E. Gold and Gold Car Heating & Lighting Company, petitioners, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William A. Reading and Mr. Arthur C. Fraser for the petitioner.

No. 875. Arthur L. Blunt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles F. Carusi for the petitioner.

No. 883. J. B. Gray, petitioner, *v.* Bank of Hartford and Claude Thompson, sheriff of Sebastian County. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Joseph M. Hill and Mr. Henry L. Fitzhugh for the petitioner, and by Mr. Webb Covington for the respondents.

No. 887. Wilhelm Knauth et al., petitioners, *v.* John W. Knight et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George T. Hogg for the petitioners and by Mr. Augustus Benners for the respondents.

No. 890. Henry A. House, petitioner, *v.* Lawrence W. Luellen. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. C. P. Goepel, Mr. J. J. Darlington, and Mr. J. D. Sullivan for the petitioner and by Mr. Joseph H. Milans for the respondent.

No. 897. James F. Bishop, administrator, etc., et al., petitioners, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harry W. Standidge for the petitioners and by Mr. Harvey D. Goulder, Mr. Thomas H. Garry, and Mr. Ralph F. Potter for the respondent.

No. 898. North British & Mercantile Insurance Company, petitioner, *v.* H. Baars & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit sub-

mitted by Mr. D. Roger Englar and Mr. Oscar R. Houston for the petitioner, and by Mr. Samuel Pasco and Mr. W. H. Watson for the respondent.

No. 907. Otto Higel Company, Inc., petitioner, *v.* Autopiano Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William T. Hall for the petitioner.

No. 231. Capitol Transportation Company, petitioner, *v.* Cambria Steel Company. Argument concluded by Mr. Francis S. Laws for the respondent.

No. 29, Original. *Ex parte* In the matter of F. A. Wagner, etc., petitioner. Argument commenced by Mr. H. A. Toulmin, jr., for the petitioner, continued by Mr. Reeve Lewis for the respondents, and concluded by Mr. H. A. Toulmin for the petitioner.

No. 234. Citizens' Bank of Michigan City, Indiana, plaintiff in error, *v.* Mary Opperman. Argued by Mr. J. B. Collins for the plaintiff in error, and by Mr. S. J. Crumpacker for the defendant in error.

No. 240. John D. Faxon, plaintiff in error, *v.* Civil Township of Lallie, Benson County, North Dakota. Argument commenced by Mr. S. E. Ellsworth for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 18, will be as follows: Nos. 240, 241, 242, 245 (and 731), 247, 249, 251, 252, 253, and 254.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 18, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Andrew B. Remick, of St. Louis, Mo.; Herbert J. Rushton, of Escanaba, Mich.; and Andrew W. Bennett, of Washington, D. C., were admitted to practice.

No. 252. The Seattle Electric Company et al., appellants, *v.* The City of Seattle et al. Continued per stipulation.

No. 253. The Board of Public Utility Commissioners, appellant and plaintiff in error, *v.* Compañía General de Tabacos de Filipinas. Submitted by Mr. Edward S. Bailey for the appellant and plaintiff in error and by Mr. F. C. Fisher for the appellee and defendant in error.

No. 240. John D. Faxon, plaintiff in error, *v.* Civil Township of Lallie, Benson County, N. Dak. Argument continued by Mr. E. T. Burke for the defendant in error and concluded by Mr. S. E. Ellsworth for the plaintiff in error.

No. 241. Donatto Fillippon, petitioner, *v.* Albion Vein Slate Co. Argued by Mr. Calvin F. Smith for the petitioner and by Mr. Ralph B. Evans for the respondent.

No. 242. New Orleans & Northeastern Railroad Company et al., plaintiffs in error, *v.* Joe Scarlet. Argued by Mr. J. Blanc Monroe for the plaintiffs in error and submitted by Mr. Thomas G. Fewell for the defendant in error.

No. 245. Lawrence Maxwell et al., executors, etc., plaintiffs in error, *v.* Newton A. K. Bugbee, comptroller, etc., et al.; and

No. 731. Louis W. Hill, administrator, etc., plaintiff in error, *v.* Newton A. K. Bugbee, comptroller of the State of New Jersey, et al. Argument commenced by Mr. Lawrence Maxwell for the plaintiffs in error, continued by Mr. John R. Hardin for the defendants in error, and by Mr. E. C. Lindley for the plaintiff in error in No. 731.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 19, will be as follows: Nos. 245 (and 731), 247, 249, 251, 254, 599, 255, 256, 258, and 259.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 19, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

A. Mitchell Palmer, of Stroudsburg, Pa., was admitted to practice.

Mr. Solicitor General King presented the Hon. A. Mitchell Palmer, Attorney General of the United States, and it was ordered that his commission be recorded.

No. 572. Northern Pacific Railway Company, plaintiff in error, *v.* J. R. Thompson, as County Treasurer of Flathead County, Mont. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 245. Lawrence Maxwell et al., Executors etc., plaintiffs in error, *v.* Newton A. K. Bugbee, Comptroller etc., et al.; and

No. 731. Louis W. Hill, Administrator etc., plaintiff in error, *v.* Newton A. K. Bugbee, Comptroller etc., et al. Argument concluded by Mr. E. C. Lindley for the plaintiff in error in No. 731.

No. 247. James J. Brougham and Arthur N. Stankey, appellants, *v.* Blanton Manufacturing Company. Argued by Mr. Assistant Attorney General Frierson for the appellants, and by Mr. Shepard Barclay for the appellee.

No. 249. Texas & Pacific Railway Company et al., petitioners, *v.* B. Leatherwood. Submitted by Mr. George Thompson and Mr. J. H. Barwise, jr., for the petitioners, and by Mr. D. T. Bomar for the respondent.

No. 251. Fred. A. Perley et al., plaintiffs in error, *v.* The State of North Carolina. Submitted by Mr. Julius C. Martin, Mr. Thomas S. Rollins, and Mr. George H. Wright for the plaintiffs in error, and by Mr. James S. Manning and Mr. R. H. Sykes for the defendant in error.

No. 254. Gabe E. Parker, as Superintendent for the Five Civilized Tribes, et al., appellants, *v.* Tootie Riley, a minor, by U. C. Stockton,

her guardian, et al. Submitted by Mr. Assistant Attorney General Kearful for the appellants. No appearance for the appellees.

No. 599. Minerals Separation et al., petitioners, *v.* Butte & Superior Mining Company. Argument commenced by Mr. Henry D. Williams for the petitioners, continued by Mr. J. Edgar Bull for the respondent, and concluded by Mr. William Houston Kenyon for the petitioners.

No. 255. J. E. Hathaway and Company, appellant, *v.* The United States. Argument commenced by Mr. George A. King for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 20, will be as follows: Nos. 255, 256, 258, 259, 261, 263, 264, 265 (to 270), 272, and 273.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 20, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alfred A. Cook, of New York City; Albert H. Conner, of Sandpoint, Idaho; John O. P. Wheelwright, of Minneapolis, Minn.; and Charles R. Hollingsworth, of Ogden, Utah, were admitted to practice.

No. 259. Hiram C. Himes et al., Trustees, etc., et al., plaintiffs in error, *v.* The Commonwealth of Pennsylvania. Passed, to be restored to the call pursuant to section 9, rule 26, on motion of Mr. William M. Hargest for the defendant in error.

No. 22, original. The State of Tennessee, complainant, *v.* The State of Arkansas et al. Motion to set case for oral argument on motion to dismiss submitted by Mr. Barnette E. Moses for the complainant.

No. 255. J. E. Hathaway and Company, appellant, *v.* The United States. Argument concluded by Mr. Assistant Attorney General Frierson for the appellee.

No. 256. The New York Central Railroad Company, petitioner, *v.* Samuel Goldberg. Argued by Mr. William Mann for the petitioner. No appearance for the respondent.

No. 258. Public Service Company of Northern Illinois, appellant, *v.* Stephen B. Corboy, Drainage Commissioner of the Calumet Ditch. Argument commenced by Mr. Buell McKeever for the appellant, continued by Mr. John H. Gillett and Mr. Frank B. Pattee for the appellee, and concluded by Mr. Buell McKeever for the appellant.

No. 261. Chesapeake & Ohio Coal & Coke Company, plaintiff in error, *v.* The Toledo & Ohio Central Railway Company. Argument commenced by Mr. Buckner Clay for the plaintiff in error. The Court declined to hear counsel for the defendant in error.

No. 263. Thomas S. Haymond, appellant, *v.* Anthony Bowen et al. Continued, on motion of Mr. John A. Howard for the appellant.

No. 264. David F. Houston et al., appellants, *v.* St. Louis Independent Packing Company. Argued by Mr. Assistant Attorney General Frierson for the appellants, and by Mr. Alexander F. Reichmann for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 21, will be as follows: Nos. 265 (to 270), 272, 273, 274, 275, 276, 278, 279, 280, and 281.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 21, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

I. J. Hofmayer, of Albany, Ga.; Frederick William Kobbe, of New York City; Bernard S. Van Rensselaer, of New York City; Marion W. Reily, of Meridian, Miss.; Raymond F. Rice, of Lawrence, Kans.; James H. Ball, of Salt Lake City, Utah; and Jacob Frank, of Brooklyn, N. Y., were admitted to practice.

No. 186. William H. Odell, appellant, *v.* F. C. Farnsworth Company et al. Ordered that this case be restored to call for Monday, March 24, on motion of Mr. Samuel E. Darby for the appellant.

No. 280. The Kentucky Heating Company et al., plaintiffs in error, *v.* The City of Louisville. Continued, per stipulation.

No. 265. Crescent Milling Company, appellant, *v.* the H. N. Strait Manufacturing Company et al.; and

Nos. 266, 267, 268, 269, and 270. Crescent Milling Company, plaintiff in error, *v.* the H. N. Strait Manufacturing Company. Argument commenced by Mr. Harris Richardson for the appellant and plaintiff in error. Court declined to hear counsel for the appellees and defendant in error.

No. 272. Neely Powers, trustee, etc., plaintiff in error, *v.* Scott County Milling Company. Submitted by Mr. James N. Flowers and Mr. William H. Watkins for the plaintiff in error, and by Mr. Robert H. Thompson and Mr. George Butler for the defendant in error.

No. 273. Yazoo & Mississippi Valley Railroad Company et al., plaintiffs in error, *v.* Mrs. Clara J. Mullins, administratrix, etc. Argued by Mr. Charles N. Burch for the plaintiffs in error, and by Mr. Marion W. Reily for the defendant in error.

No. 274. J. D. Collett, trustee, etc., appellant, *v.* James R. Adams. Submitted by Mr. Wilmer S. Hunt and Mr. H. B. Seay for the appellant. No appearance for the appellee.

No. 275. S. D. Barrett, petitioner, *v.* the Virginian Railway Company. Submitted by Mr. W. L. Welborn for the petitioner, and by Mr. G. A. Wingfield and Mr. H. T. Hall for the respondent.

No. 278. David F. Moore, appellant, *v.* The United States. Argued by Mr. Samuel Herrick for the appellant, and by Mr. Assistant Attorney General Frierson for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 24, will be as follows: Nos. 276, 279, 281, 186, 282, 283, 284 (and 285), 286, 289, and 291.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 24, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John H. Minds, of Philadelphia, Pa.; Edmund D. Adcock, of Chicago, Ill.; Henry W. Moore, of Philadelphia, Pa.; Walter L. Tooze, jr., of Dallas, Oreg.; Fred E. Page, of Greene, N. Y.; Clarence E. Pigford, of Jackson, Tenn.; George Lull, of San Francisco, Cal.; John J. Dailey, of San Francisco, Cal.; Eugene L. McCain, of Pawhuska, Okla., and Robert F. Cogswell, of Washington, D. C., were admitted to practice.

No. 155. The United States, petitioner, *v.* Brooklyn Eastern District Terminal. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of the Circuit Court of Appeals reversed, and judgment of the District Court of the United States for the Eastern District of New York affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Brandeis.

No. 170. Union Tank Line, plaintiff in error, *v.* William A. Wright, comptroller general of Georgia. In error to the Supreme Court of the State of Georgia. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McReynolds. (Mr. Justice Day concurs in the result.) Dissenting: Mr. Justice Pitney, Mr. Justice Brandeis, and Mr. Justice Clarke.

No. 178. Dominion Hotel, Inc., plaintiff in error, *v.* The State of Arizona. In error to the Supreme Court of the State of Arizona. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 220. St. Louis Poster Advertising Company, plaintiff in error, *v.* The City of St. Louis et al. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 2. The St. Louis Poster Advertising Company, appellant, *v.* The City of St. Louis et al. Appeal from the District Court of

the United States for the Eastern District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Holmes.

No. 230. The Board of Public Utility Commissioners, appellant and plaintiff in error, *v.* The Manila Electric Railroad and Light Company. Appeal from and in error to the Supreme Court of the Philippine Islands. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the Court:

No. 265. Crescent Milling Company, appellant, *v.* The H. N. Strait Manufacturing Company et al. Appeal from the District Court of the United States for the District of Minnesota. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 6 of the act of September 6, 1916, chapter 448, 39 Stat., 726, 727.

No. 272. Neely Powers, Trustee, etc., plaintiff in error, *v.* Scott County Milling Company. In error to the Supreme Court of the State of Mississippi. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat., 726.

No. 261. Cheasapeake & Ohio Coal & Coke Company, plaintiff in error, *v.* The Toledo & Ohio Central Railway Company. In error to the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S. 165, 166; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444.

Nos. 266 and 267. Crescent Milling Company, plaintiff in error, *v.* H. N. Strait Manufacturing Company. In error to the District Court of the United States for the District of Minnesota. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 6 of the act of September 6, 1916, chapter 448, 39 Stat., 726, 727.

Nos. 268 and 269. Crescent Milling Company, plaintiff in error, *v.* The H. N. Strait Manufacturing Company. In error to the United States Circuit Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S., 165, 166; *Hull v. Burr*, 234 U. S., 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S., 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S., 439, 444.

No. 270. Crescent Milling Company, appellant, *v.* The H. N. Strait Manufacturing Company. Appeal from the United States Circuit

Court of Appeals for the Eighth Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 128 of the Judicial Code; *Stevenson v. Fain*, 195 U. S., 165, 166; *Hull v. Burr*, 234 U. S., 712, 720; *St. Anthony's Church v. Pennsylvania R. R. Co.*, 237 U. S., 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S., 439, 444.

No. 22, Original. The State of Tennessee, complainant, *v.* The State of Arkansas et al. Motion to set case for oral argument on motion to dismiss granted, and the case assigned for argument on Monday, April 14, next.

No. 708. The United States, appellant, *v.* Conrad S. Babcock. Motion to place on the summary docket granted.

No. 915. The United States, appellant, *v.* Herbert B. Hayden. Motion to place on the summary docket granted.

No. 492. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al. Motion to advance granted, and the case assigned for argument on Monday, October 6, next.

No. 759. Alex. J. Groesbeck et al., appellants, *v.* Duluth, South Shore & Atlantic Railway Company. Motion to advance granted, and the case assigned for argument on Monday, October 6, next, after the case heretofore assigned for that day.

No. 874. Edward A. Rumely, appellant, *v.* Thomas D. McCarthy, U. S. Marshal, etc., et al. Motion to advance granted, and case assigned for argument on Monday, April 14 next, after the cases heretofore assigned for that day.

No. 881. The United States of America, appellant, *v.* The Board of County Commissioners of Osage County, Oklahoma, et al. Motion to advance granted, and case assigned for argument on Monday, April 14 next, after the cases heretofore assigned for that day.

No. 914. Mark Eisner, as Collector of United States Internal Revenue, etc., plaintiff in error, *v.* Myrtle H. Macomber. Motion to advance granted, and case assigned for argument on Monday, April 14 next, after the cases heretofore assigned for that day.

No. 849. C. C. Calhoun, petitioner, *v.* Bland Massie. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of Virginia granted.

No. 860. Fidelity Title & Trust Company, Ancillary Administrator, etc., petitioner, *v.* The Dubois Electric Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied, with reservation of and without prejudice to the right to apply for a reinstatement of the petition at any time before the end of this term in case the judgment below should fail to award a new trial.

No. 852. Southern Railway Company, petitioner, *v.* Hugh Petit et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 853. North American Telegraph Co., petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 854. Daly-West Mining Company et al., petitioners, *v.* Catherine Savage et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 867. Troy Deason, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 873. Edward E. Gold et al., petitioners, *v.* James T. Newton, Commissioner of Patents. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 875. Arthur L. Blunt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 883. J. B. Gray, petitioner, *v.* Bank of Hartford et al. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 887. Wilhelm Knauth et al., petitioners, *v.* John W. Knight et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 890. Henry A. House, petitioner, *v.* Laurence W. Luellen. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 897. James F. Bishop, administrator, etc., petitioner, *v.* Great Lakes Towing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 898. North British & Mercantile Insurance Company, petitioner, *v.* H. Baars & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 907. Otto Higel Company, Inc., petitioner, *v.* Autopiano Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

Order. It is ordered that the cases heretofore placed on the summary docket, viz: Nos. 419, 485, 472, 708, and 915, be assigned for argument at the head of the call for Monday, April 14, next.

The Chief Justice also announced that the Court will take a recess from Monday, the 31st instant, to Monday, April 14, next.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Joint motion to remand to the District Court with directions to modify final decree submitted by Mr. Solicitor General King for the appellee and by Mr. John M. Gearin for the appellant.

No. 697. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

Nos. 776 and 777. The United States of America, plaintiff in error, *v.* August Ferger et al. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 921. U. S. G. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit, submitted by Mr. James T. Lloyd in behalf of Mr. John T. Barker for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

No. 922. J. H. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James T. Lloyd in behalf of Mr. John T. Barker for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

No. 354. The United States, appellant, *v.* Sheridan-Kirk Contract Company; and

No. 355. Sheridan-Kirk Contract Company, appellant, *v.* The United States. Motion to remand to the Court of Claims for finding of additional facts submitted by Mr. George A. King for Sheridan-Kirk Contract Company in support of the motion, and by Mr. Assistant Attorney General Frierson for the United States in opposition thereto.

No. 286. Luella Swartwood, as sole administratrix, etc., plaintiff in error, *v.* Lehigh Valley Railroad Company. Passed, on motion of Mr. Frederick S. Tyler in behalf of counsel for the plaintiff in error.

No. 289. Guy E. Bowerman, appellant, *v.* C. D. Hamner, as receiver of the First National Bank of Salmon. Passed, on motion of Mr. Alex. Britton in behalf of counsel for the appellant.

No. 186. William H. Odell, appellant, *v.* F. C. Farnsworth Company et al. Submitted by Mr. Samuel E. Darby for the appellant. No appearance for the appellees.

No. 293. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds, surviving and liquidating partner, etc. Passed, on motion of Mr. James H. Minds for the defendant in error.

No. 294. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds et al., etc. Passed on motion of Mr. James H. Minds for the defendants in error.

No. 809. Arkansas Central Railroad Company, plaintiff in error, *v.* W. L. Goad. Petition for writ of certiorari herein submitted by Mr. Thomas B. Pryor for the plaintiff in error, in support of the petitioner, and by Mr. Charles I. Evans for the defendant in error, in opposition thereto.

No. 835. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* H. T. True, jr. Petition for a writ of certiorari herein submitted by Mr. Thomas B. Pryor for the plaintiff in error, in support of the petition.

No. 910. Pulp Wood Company, petitioner, *v.* Green Bay Paper & Fibre Company. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin submitted by Mr. Moses Hooper for the petitioner.

No. 916. William A. Hamilton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. George I. Haight, Mr. Ralph F. Potter, Mr. James H. Wilkerson, and Mr. Edwin H. Cassels for the petitioner and by Mr. Assistant Attorney General Porter for the respondent.

No. 276. Richard H. Dana, individually, plaintiff in error, *v.* Richard H. Dana, executor, etc., et al. Argued by Mr. Hollis R. Bailey for the plaintiff in error and by Mr. William Harold Hitchcock for the defendants in error.

No. 300. Charles S. Ashley, plaintiff in error, *v.* William Cushing Wait et al. Passed on motion of Mr. William Harold Hitchcock for the plaintiff in error.

No. 279. P. D. Camp et al., petitioners, *v.* Morgan V. Gress. Argument commenced by Mr. T. D. Savage for the petitioner, continued by Mr. D. Lawrence Groner and Mr. W. M. Toomer for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 25, will be as follows: Nos. 279, 281, 282, 283, 284 (and 285), 291, 158, 295, 296, and 297.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MARCH 25, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Frank A. Kemp, jr., of Boulder, Colo., was admitted to practice.

No. 297. *Minerva B. Cruzan, administratrix, etc., plaintiff in error v. New York Central & Hudson River Railroad Company.* Passed.

No. 279. *P. D. Camp et al., petitioners, v. Morgan V. Gress.* Argument continued by Mr. William Toomer for the respondent, and concluded by Mr. Thomas H. Willcox for the petitioner.

No. 281. *The City of Pawhuska, plaintiff in error, v. Pawhuska Oil & Gas Company et al.* Argued by Mr. Preston A. Shinn for the plaintiff in error, and by Mr. T. J. Leahy for the defendants in error.

No. 282. *United Railroads of San Francisco, appellant, v. City and County of San Francisco et al.* Argued by Mr. Garret W. McEnerney for the appellant, and by Mr. Hiram W. Johnson for the appellees. Leave granted counsel for the appellees to file supplemental brief within three days.

No. 283. *A. P. Chalker, administrator, etc., et al., plaintiffs in error, v. The Birmingham & Northwestern Railway Company et al.* Argument commenced by Mr. C. E. Pigford for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 26, will be as follows: Nos. 283, 284 (and 285), 291, 158, 295, 296, 298, 299, 301, and 302.

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SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, MARCH 26, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Walter A. Eversman, of Toledo, Ohio; Charles A. Schmettau, of Toledo, Ohio; James J. McCarthy, of Boston, Mass.; Thomas C. O'Brien, of Boston, Mass.; William H. Donovan, of Washington, D. C.; and Marion H. Fisher, of Jamestown, N. Y., were admitted to practice.

No. 901. Kwock Jan Fat and Tom Ying Shee, petitioners, *v.* Edward White, as Commissioner of Immigration at the port of San Francisco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Jackson H. Ralston for the petitioners, and by Mr. Assistant Attorney General Porter for the respondent.

No. 298. The City of Los Angeles et al., appellants, *v.* Los Angeles Gas & Electric Corporation. Continued, per stipulation.

No. 299. City of Winchester et al., appellants, *v.* Winchester Water Works Company. Passed, per stipulation.

No. 301. P. Sanford Ross, Inc., Claimant of the Scow "6-S," appellant, *v.* The United States of America. Passed, per stipulation.

No. 302. Sanborn-Cutting Company, appellant, *v.* V. A. Paine, as Trustee, etc. Passed.

No. 283. A. P. Chalker, administrator, etc., et al., plaintiffs in error, *v.* The Birmingham & Northwestern Railway Company et al. Argument continued by Mr. C. E. Pigford for the plaintiffs in error, by Mr. R. F. Spragins for the defendants in error, and concluded by Mr. C. E. Pigford for the plaintiffs in error.

No. 284. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company; and

No. 285. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al. Passed.

No. 291. Hartford Life Insurance Company, petitioner, *v.* Nannie M. Johnson. Submitted by Mr. James C. Jones, Mr. George F.

Haid, and Mr. James C. Jones, jr., for the petitioner, and by Mr. Matthew A. Fyke for the respondent.

No. 158. The Delaware, Lackawanna & Western Railroad Company, appellant, *v.* The United States. Argument commenced by Mr. F. Carter Pope for the appellant, continued by Mr. Assistant Attorney General Frierson for the appellee, and concluded by Mr. Benjamin Carter for the appellant.

No. 295. J. F. Hazelton et al., plaintiffs in error, *v.* the City of Atlanta. In error to the Supreme Court of the State of Georgia. Dismissed with costs, pursuant to the sixteenth rule, on motion of Mr. Walter T. Colquitt for the defendant in error.

No. 296. Mary E. Gillis, administratrix, etc., plaintiff in error, *v.* New York, New Haven & Hartford Railroad Company. Argument commenced by Mr. James J. McCarthy for the plaintiff in error, and continued by Mr. John L. Hall for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 27, will be as follows: Nos. 296, 303, 304, 305, 307, 308, 309, 311, 312, 313 (and 563).

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MARCH 27, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

A. Bruce Bielaski, of Washington, D. C.; B. B. McGinnis, of Pittsburgh, Pa.; Robert S. Regar, of Washington, D. C.; and Franklin F. Korell, of Portland, Oreg., were admitted to practice.

Nos. 313 and 563. Gabe E. Parker et al., appellants, *v.* Eastman Richard et al., Co-Administrators, etc. Passed, on motion of Mr. Assistant Attorney General Frierson for the appellants.

No. 296. Mary E. Gillis, Administratrix, etc., plaintiff in error, *v.* New York, New Haven & Hartford Railroad Company. Argument concluded by Mr. John L. Hall for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 28, will be as follows: Nos. 303, 304, 305, 307, 308, 309, 311, 312, 314, and 315.

85736—19—74

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MARCH 28, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

G. Hatton, of Portsmouth, Va., was admitted to practice.

No. 354. The United States, appellant, *v.* Sheridan-Kirk Contract Company; and

No. 355. Sheridan-Kirk Contract Company, appellant, *v.* The United States. Dismissed on motion of counsel for the appellants.

No. 309. William F. Brothers, appellant, *v.* The United States. Argued by Mr. William F. Brothers *pro se* and submitted by Mr. Assistant Attorney General Frierson for the appellee.

No. 312. Louisville & Jeffersonville Bridge Company *v.* The United States of America. Argued by Mr. Edward P. Humphrey for Louisville & Jeffersonville Bridge Company and by Mr. Solicitor General King for the United States.

Adjourned until Monday next at 12 o'clock.

85736—19—75

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 31, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edward W. Engs, of Oakland, Cal., Clifford Wallace Mason, of Rochester, N. Y., and Thomas W. Robertson, of New Orleans, La., were admitted to practice.

No. 214. Henry A. Wise, trustee in bankruptcy of Ambrose B. Stannard, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 441. The United States *ex rel.* William F. Arant, plaintiff in error, *v.* Franklin K. Lane, Secretary of the Interior. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 199. The United States, appellant, *v.* The Union Pacific Railroad Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 8. Union Oil Company of California, plaintiff in error, *v.* S. R. Smith. In error to the Supreme Court of the State of California. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 219. Franklin K. Lane, Secretary of the Interior, appellant, *v.* Joseph J. Darlington and John H. Clapp, trustees, estate of John M. Clapp, deceased. Appeal from the Court of Appeals of the District of Columbia. Decree reversed with costs; and cause remanded with directions to affirm the decree of the Supreme Court of the District of Columbia dismissing the bill. Opinion by Mr. Justice Holmes.

No. 231. Capitol Transportation Company, petitioner, *v.* Cambria Steel Company. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Michigan. Opinion by Mr. Justice Holmes.

No. 168. The United States, appellant, *v.* The Purcell Envelope Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 216. Isabel Kouns O'Pry, sole surviving descendant and sole heir of John Kouns, surviving partner of George L. Kouns and John

Kouns, et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice McKenna.

No. 19. Robert Miller and William Cooney, plaintiffs in error, *v.* B. O. McClain. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. — Original. *Ex parte* in the matter of Christoffer Hannevig and Vidkunn Johnsen, petitioners. Motion for leave to file petition for writs of prohibition, mandamus, and certiorari denied.

No. 697. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Motion to advance granted, and cause assigned for argument on Monday, October 13 next.

Nos. 776 and 777. The United States of America, plaintiff in error, *v.* August Ferger et al. Motion to advance granted, and cases assigned for argument on Monday, April 21 next.

No. 901. Kwock Jan Fat, petitioner, *v.* Edward White, as Commissioner of Immigration, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 809. Arkansas Central Railroad Company, plaintiff in error, *v.* W. L. Goad. Petition for a writ of certiorari herein denied.

No. 910. Pulp Wood Company, petitioner, *v.* Green Bay Paper & Fibre Company. Petition for a writ of certiorari to the Supreme Court of the State of Wisconsin denied.

No. 916. William A. Hamilton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 921. U. S. G. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 922. J. H. Hughes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 951. L. R. Garrett, plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Northern District of California. Docketed and dismissed, on motion of Mr. Solicitor General King for the defendant in error, and mandate granted.

No. 952. L. R. Garrett, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the

Northern District of California. Docketed and dismissed, on motion of Mr. Solicitor General King for the appellee, and mandate granted.

No. 953. L. R. Garrett, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of California. Docketed and dismissed, on motion of Mr. Solicitor General King for the appellee, and mandate granted.

No. — Original. *Ex parte* In the matter of J. A. Tracy, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. C. M. O'Neill for the petitioner.

No. 704. R. E. Oden, sheriff of Allen Parish, Louisiana, plaintiff in error, *v.* A. V. Coco, attorney general of Louisiana. Motion to dismiss or affirm submitted by Mr. Thomas W. Robertson and Mr. Harry P. Sneed for the defendant in error in support of the motion.

No. 284. New York Scaffolding Company, petitioner, *v.* Liebel-Binney Construction Company et al.;

No. 285. New York Scaffolding Company, petitioner, *v.* Chain Belt Company et al.; and

No. 207. New York Scaffolding Company, petitioner, *v.* Egbert Whitney. Death of Egbert Whitney, one of the respondents in the above-entitled causes, suggested, and orders of publication granted, on motion of Mr. F. C. Somes for the petitioner.

No. 888. Stewart A. Hewett, petitioner, *v.* The State of Washington. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Hannis Taylor for the petitioner.

No. 911. Maude Morrison, administratrix, etc., petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Homer Guerry in behalf of Mr. O. C. Moore for the petitioner and by Mr. George W. Korte and Mr. Heman H. Field for the respondent.

No. 928. Roy J. Bishop, administrator, etc., petitioner, *v.* John H. Hungate, executor, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas E. D. Bradley for the petitioner and by Mr. Felix T. Hughes for the respondents.

No. 271. Corn Products Refining Company et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Dismissed, on motion of counsel for the appellants, and mandate granted.

No. 387. The State of Wisconsin *ex rel.* Sallie F. Moon Company, plaintiff in error, *v.* Wisconsin Tax Commission. In error to the Supreme Court of the State of Wisconsin. Dismissed on motion of counsel for plaintiff in error.

No. 899. Etha Davis, nee Hutton, petitioner, *v.* Alice R. Thompson et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. E. J. Van Court for the petitioner, and by Mr. George S. Ramsey for the respondent.

No. 906. C B Live Stock Company, petitioner, *v.* Crosbyton Independent School District. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. W. Burton and Mr. Joseph W. Bailey for the petitioner.

No. 923. W. C. Welch and Lizzie Welch, petitioners, *v.* George W. Kirby, administrator, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. I. N. Watson for the petitioners.

No. 924. George D. Horning, petitioner, *v.* The District of Columbia. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry E. Davis for the petitioner, and by Mr. Conrad H. Syme and Mr. P. H. Marshall for the respondent.

No. 925. Chirstoffer Hannevig and Vidkunn Johnsen as Hannevig & Johnsen, petitioners, *v.* R. W. J. Sutherland & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury for the petitioners.

No. 941. Hassan Abdu et al., petitioners, *v.* Steamship "Nigretia," etc., Limerick Steamship Company, Ltd., claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Silas B. Axtell for the petitioners, and by Mr. L. deGrove Potter and Mr. John M. Woolsey for the respondent.

No. 943. T. M. Duche & Sons, Ltd., petitioners, *v.* American Schooner "John Twohy," her tackle, etc., Albert D. Cummings and Howard Compton, claimants. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William J. Conlen for the petitioner.

No. 949. The United States, petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Frier-son for the petitioner, and by Mr. Charles W. Bunn for the respondent.

Adjourned until Monday, April 14, next, at 12 o'clock.

The day call for Monday, April 14, will be as follows: Nos. 22 original, 419, 485, 472, 708, 915, 600, 865, 874, 881, and 914.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 14, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John D. Arbuckle, of Little Rock, Ark.; Pedro Ma Sison, of Manila, P. I.; Sabino Padilla, of Manila, P. I.; Mariano Escueta, of Manila, P. I.; Delfin Mahinay, of Cadiz, Negros Occidental, P. I.; Enrique Altavas, of Manila, P. I.; Emiliano Tria Tirona, of Cavite, P. I.; Lake Jones, of Jacksonville, Fla.; William M. Bostwick, jr., of Jacksonville, Fla.; Jorge B. Vargas, of Iloilo, P. I.; Manuel Escudero, of Sorsogon, Sorsogon, P. I.; Rafael R. Alunan, of Bacolod, Negros Occidental, P. I.; Dionisio Jakosalem, of Cebu, Cebu, P. I.; V. Singson Encarnacion, of Manila, P. I.; Frank S. Elgin, of Memphis, Tenn.; A. B. Galloway, of Memphis, Tenn.; William J. Horton, of McAlester, Okla.; Rafael Palma, of Manila, P. I.; Fred G. Huntington, of Aberdeen, S. Dak.; Skipwith Adams, of Helena, Ark.; William E. Allen, of Dallas, Tex.; Fred V. Lowrey, of Hillsboro, Tex.; James A. Wayne, of Wallace, Idaho; Charles W. Friede, of Washington, D. C.; Margaret W. Stewart, of Washington, D. C.; Dozier R. De Vane, of Tallahassee, Fla.; Quintin Paredes, of Manila, P. I.; Jose Abad Santos, of Manila, P. I.; Buenaventura L. Barona, of Manila, P. I.; Leo L. Donahoe, of Chicago, Ill.; Franklin H. Shaffold, of Swainsboro, Ga., and John A. Simas, of Washington, D. C., were admitted to practice.

No. 29, Original. *Ex parte*: In the matter of F. A. Wagner, etc., et al., petitioners. Rule discharged and petition dismissed. Opinion by Mr. Justice Clarke.

No. 238. Southern Pacific Company, plaintiff in error, *v.* The State of Arizona. In error to the Supreme Court of the State of Arizona. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 264. David F. Houston, A. D. Melvin, and James J. Brougham, appellants, *v.* St. Louis Independent Packing Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs; and cause remanded to the Dis-

trict Court of the United States for the Eastern District of Missouri for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 278. David F. Moore, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Clarke.

No. 291. Hartford Life Insurance Company, petitioner, *v.* Nannie M. Johnson. On writ of certiorari to the Supreme Court of the State of Missouri. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Clarke.

No. 191. Andrew D. Barbour, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 255. J. E. Hathaway & Company, appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 234. Citizens Bank of Michigan City, Indiana. plaintiff in error, *v.* Mary Opperman. In error to the Supreme Court of the State of Indiana. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 201. The United States, appellant, *v.* The Atchison, Topeka & Sante Fe Railway Company. Appeal from the Court of Claims. Judgment reversed; and cause remanded, with direction to dismiss the petition. Opinion by Mr. Justice McReynolds.

No. 119. Corn Products Refining Company, plaintiff in error, *v.* V. C. Eddy et al. In error to the Supreme Court of the State of Kansas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 200. The United States, appellant, *v.* Robert A. Laughlin. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 159. Chicago & Northwestern Railway Company, plaintiff in error, *v.* A. C. Ochs, doing business under the name of A. C. Ochs Brick & Tile Company. In error to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 204. Lake Erie & Western Railroad Company, plaintiff in error, *v.* The State Public Utilities Commission of Illinois ex rel. J. S. Cameron. In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 253. The Board of Public Utility Commissioners, appellant and plaintiff in error, *v.* Compania General de Tabacos de Filipinas. Appeal from and in error to the Supreme Court of the Philippine

Islands. Judgment reversed with costs; and cause remanded with a direction that cause be dismissed without costs to either party. Opinion by Mr. Justice Van Devanter.

No. 177. Standard Oil Company, plaintiff in error, *v.* H. T. Graves et al. In error to the Supreme Court of the State of Washington. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Day.

No. 417. D. G. McKinley and J. L. Bray, plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Georgia. Judgment affirmed. Opinion by Mr. Justice Day.

No. 715. The Columbus Railway, Power & Light Company, appellant, *v.* The City of Columbus, Ohio, et al. Appeal from the District Court of the United States for the Southern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Day.

No. 739. I. Tucker Burr et al., partners, etc., appellants, *v.* The City of Columbus, Ohio, et al. Appeal from the District Court of the United States for the Southern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Day.

No. 158. The Delaware, Lackawanna & Western Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 408. The United States of America, plaintiff in error, *v.* Homer Gudger. In error to the District Court of the United States for the Western District of Virginia. Judgment affirmed. Opinion by Mr. Chief Justice White.

No. 141. Anna D. Matters, appellant, *v.* Margaret Ryan. Appeal from the District Court of the United States for the Northern District of Illinois. Decree reversed with costs; and cause remanded with directions to dismiss the writ of habeas corpus. Opinion by Mr. Chief Justice White.

No. 27, Original. *Ex parte*: In the matter of William F. Hudgings, petitioner. Ordered that petitioner be discharged from custody. Opinion by Mr. Chief Justice White. Dissenting, Mr. Justice Pitney.

The Chief Justice also announced the following orders of the court:

No. 704. R. E. Oden, Sheriff of Allen Parish, Louisiana, plaintiff in error, *v.* A. V. Coco, Attorney General of Louisiana. In error to the Supreme Court of Louisiana. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of (1) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205

U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; (2) *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S. 596, 599; *Municipal Securities Corporation v. Kansas City*, 246 U. S. 63, 69; *Bilby v. Stewart*, 246 U. S. 255, 257.

No. 175. *The Denver & Rio Grande Railroad Company*, plaintiff in error, *v. James R. Baird*. In error to the Supreme Court of the State of Utah. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stat., 726.

No. —, Original. Ex parte: In the matter of *J. A. Tracy*, petitioner. Motion for leave to file petition for a writ of habeas corpus denied.

No. 924. *George D. Horning*, petitioner, *v. The District of Columbia*. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 943. *T. M. Duche & Sons, Limited*, petitioner. *v. American schooner John Twohy, etc.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 835. *St. Louis, Iron Mountain & Southern Railway Company*, plaintiff in error, *v. H. T. True, jr.* Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 888. *Stewart A. Hewett*, petitioner, *v. The State of Washington*. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 899. *Etha Davis, nee Hutton*, petitioner, *v. Alice R. Thompson et al.* Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 906. *C B Live Stock Company*, petitioner. *v. Crosbyton Independent School District*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 911. *Maud Morrison*, administratrix, etc., petitioner, *v. Chicago, Milwaukee & St. Paul Railway Company*. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 923. *W. C. Welch and Lizzie Welch*, petitioners, *v. George W. Kirby*, administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 925. *Christoffer Hannevig and Vidkunn Johnsen*, as *Hannevig & Johnsen*, petitioners, *v. R. W. J. Sutherland & Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 928. *Roy J. Bishop*, administrator, etc., petitioner, *v. John H. Hungate*, executor, etc., et al. Petition for a writ of certiorari to the

United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 941. Hassan Abdu et al., petitioners, *v.* Steamship *Nigretia*, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

The Chief Justice also announced that there will be no session of the court on Good Friday, the 18th instant.

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, attorney general, et al. Motion to advance submitted by Mr. Solicitor General King for the United States.

No. 976. Northern Pacific Railway Company, and Walker D. Hines, as Director General of Railroads, plaintiffs in error, *v.* State of North Dakota ex rel. William Langer, attorney general. Joint motion to advance submitted by Mr. Solicitor General King, Mr. John Barton Payne, Mr. Charles Donnelly, and Mr. Charles W. Bunn for the plaintiffs in error, and by Mr. William Langer and Mr. F. E. Packard for the defendant in error.

No. 927. Evalyn Charlton, administratrix, etc., petitioner, *v.* Chesapeake & Ohio Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Maryus Jones in behalf of Mr. J. Winston Read for the petitioner.

No. 311. The Pennsylvania Railroad Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania et al. Passed, per stipulation, on motion of Mr. Frederic D. McKenney for the plaintiff in error.

Nos. 776 and 777. The United States of America, plaintiff in error, *v.* August Ferger et al. Leave granted to file brief herein as amicus curiæ on motion of Mr. Francis B. James for National Industrial Traffic League.

No. 957. Frederick J. Macleod and Everett E. Stone, constituting the Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone & Telegraph Company. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts submitted by Mr. William Harold Hitchcock and Mr. Henry C. Attwill for the petitioners. Motion to advance submitted by Mr. William Harold Hitchcock and Mr. Henry C. Attwill for the petitioners.

No. 954. W. D. Renfro, petitioner, *v.* Charles Olentine et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Napoleon B. Maxey for the petitioner.

Nos. 94 and 95. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Motion to modify decree submitted by Mr. R. T. McKenna in behalf of Mr. W. E. Hemingway, Mr. G. B. Rose, Mr. J. F. Loughborough, and Mr. D. H. Cantrell in support of the motion, and by Mr. J. M. Moore in opposition thereto.

No. 254. Gabe E. Parker, as Superintendent for the Five Civilized Tribes, et al., appellants, *v.* Tootie Riley, a minor, by U. C. Stockton, her guardian, et al. Leave granted to file brief for the appellees, on motion of Mr. William J. Horton for the appellees.

No. 908. E. A. Laughter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Elgin, Mr. A. B. Galloway, and Mr. W. E. Humphrey for the petitioner, and by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the respondent.

No. 909. E. A. Laughter and W. N. Fisher, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank S. Elgin, Mr. A. B. Galloway, and Mr. W. E. Humphrey for the petitioner, and by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the respondent.

No. 26, Original. *Ex parte*: In the matter of Robert H. Thorburn, petitioner. Submitted by Mr. Robert H. Thorburn, *pro se*, and by Mr. Augustine L. Humes and Mr. William R. Begg for the respondent.

No. 252. The Seattle Electric Company et al., appellants, *v.* The City of Seattle et al. In error to the District Court of the United States for the Western District of Washington. Dismissed, with costs, on motion of counsel for the appellants.

No. 297. Minerva B. Cruzan, administratrix, etc., plaintiff in error, *v.* New York Central & Hudson River Railroad Company. In error to the Superior Court of the State of Massachusetts. Dismissed, per stipulation.

No. 302. Sanborn-Cutting Company, appellant, *v.* V. A. Paine, as trustee, etc. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 307. Alameda Mining Company, plaintiff in error, *v.* Success Mining Company. In error to the Supreme Court of the State of Idaho. Dismissed with costs, per stipulation.

No. 314. Great Northern Railway Company et al., plaintiffs in error, *v.* Minneapolis Civic & Commerce Association et al. In error

to the Supreme Court of the State of Minnesota. Dismissed with costs, per stipulation.

No. 832. The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, *v.* Maclay Hoyne, State's Attorney, etc., et al. Motion to dismiss or affirm submitted by Mr. George I. Haight and Mr. Edmund D. Adcock for the defendants in error in support of the motion, and by Mr. Addison L. Gardner, Mr. Gilbert E. Porter, Mr. Frank J. Loesch, and Mr. Timothy J. Scofield for the plaintiffs in error in opposition thereto.

No. 860. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. Motion to reinstate petition for writ of certiorari pursuant to order of this court of March 24, 1919, submitted by Mr. Marcus W. Acheson, jr., for the petitioner.

No. 868. Harry B. Duane and Ginter Grocery Company, petitioners, *v.* The Merchants Legal Stamp Company et al.; and

No. 869. Harry B. Duane, petitioner, *v.* The Merchants Legal Stamp Company et al. Petition for writs of certiorari to the Supreme Judicial Court of the State of Massachusetts submitted by Mr. Boyd B. Jones for the petitioners and by Mr. Anson M. Lyman and Mr. Charles F. Perkins for the respondents.

No. 893. The United States of America on the relation of Verdine R. Hall, petitioner, *v.* Franklin K. Lane, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Patrick H. Loughran for the petitioner and by Mr. Solicitor General King for the respondent.

No. 933. Walter L. Ross, as receiver of Toledo, St. Louis & Western Railroad Company, petitioner, *v.* Pearl I. Schooley, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles A. Schmettau and Mr. C. E. Pope for the petitioner.

No. 934. Eli G. Frankenstein, petitioner, *v.* Carl M. Jacobs, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. W. B. Mente for the petitioner and by Mr. Walter A. De Camp and Mr. Sidney G. Stricker for the respondent.

No. 935. Charles McKnight, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. B. B. Blakeney and Mr. J. H. Maxey for the petitioner, and by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the respondent.

No. 940. Edna M. Rawls, petitioner, *v.* The Penn Mutual Life Insurance Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John S. Maxwell and Mr. George C. Bedell for the petitioner, and by W. M. Bostwick, jr., and Lake Jones for the respondent.

No. 979. Max Manson, petitioner, *v.* Harry S. Mesirov, trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Harry Felix for the petitioner.

No. 22, Original. The State of Tennessee, complainant, *v.* The State of Arkansas et al. Argued on motion to dismiss by Mr. W. J. Lamb for the defendants in support of the motion, and by Mr. Bernette E. Moses for the complainant in opposition thereto.

No. 419. R. A. Flanders, as trustee, etc., appellant, *v.* E. J. Coleman. Argument commenced by Mr. Frederick T. Saussy for the appellant, and continued by Mr. F. H. Saffold for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 15, will be as follows: Nos. 419, 485, 472, 708, 915, 600, 865, 874, 881, 914, and 192.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 15, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William L. Freeland, of Miami, Fla., and Henry Purtle, of Louisville, Ky., were admitted to practice.

No. 982. George J. Wagoner et al., plaintiffs in error, *v.* The City of La Grande, Oregon, et al. In error to the Supreme Court of the State of Oregon. Docketed and dismissed, on motion of Mr. Will R. King for the defendants in error.

No. 349. Daniel Donahoe, plaintiff in error, *v.* The People of the State of Illinois. Motion to continue submitted by Mr. L. L. Donahoe for the plaintiff in error in support of the motion, and by Mr. Charles Henry Butler and Mr. Edward J. Brundage for the defendant in error in opposition thereto.

No. 553. The Central Trust Company of New York et al., petitioners, *v.* The Texas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Charles H. Bates in behalf of Mr. H. M. Garwood for the petitioners, and by Mr. Amos L. Beaty for the respondent.

No. 419. R. A. Flanders, as trustee, etc., appellant, *v.* E. J. Coleman. Argument continued by Mr. F. H. Saffold for the appellee, and concluded by Mr. Frederick T. Saussy for the appellant.

No. 485. William Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway. Argued by Mr. James A. Wayne for the petitioner, and by Mr. George W. Korte for the respondent.

No. 472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. Argued by Mr. Frederic D. McKenney for the petitioner, and by Mr. T. Alan Goldsborough for the respondent.

No. 708. The United States, appellant, *v.* Conrad S. Babcock; and

No. 915. The United States, appellant, *v.* Herbert B. Hayden. Argued by Mr. Assistant Attorney General Frierson for the appellant, and by Mr. George A. King for the appellees.

No. 600. Frank W. Darling, plaintiff in error, *v.* City of Newport News. Argument commenced by Mr. Maryus Jones for the plaintiff in error, continued by Mr. J. A. Massie for the defendant in error, and concluded by Mr. J. Winston Read for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 16, will be as follows: Nos. 865, 874, 881, 914, 192, 303, 304, 305, 308, and 315.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 16, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Charles J. Biddle, of Philadelphia, Pa.; Corbett Cornett, of Pawhuska, Okla.; and Leonidas L. Bracken, of Muncie, Ind., were admitted to practice.

Nos. 776 and 777. The United States, plaintiff in error, *v.* August Ferger et al. Reassigned for argument on Monday, the 28th instant, on motion of Mr. Assistant Attorney General Brown for the plaintiff in error.

No. 964. Berlin Mills Company, petitioner, *v.* Procter & Gamble Company. Leave granted to file brief herein as amicus curiæ on motion of Mr. Charles E. Hughes for American Cotton Oil Company.

No. 304. United States Fidelity & Guaranty Company, plaintiff in error, *v.* The State of Oklahoma et al. Expiration of the terms of office of R. L. Williams, governor; J. L. Lyon, as secretary of state; E. B. Howard, as auditor; Frank Gault, as president of the Board of Agriculture of the State of Oklahoma, suggested, and appearance of J. B. A. Robertson, governor; Joe S. Morris, as secretary of state; F. C. Carter, as auditor; and J. W. Whitehurst, as president of the Board of Agriculture of the State of Oklahoma, as parties plaintiffs in error, filed and entered, per stipulation, and on motion of Mr. C. B. Ames for the plaintiffs in error.

No. 865. Alexander Berkman and Emma Goldman, plaintiffs in error, *v.* The United States of America. Argued by Mr. Harry Weinberger for the plaintiffs in error, and by Mr. Assistant Attorney General Porter for the defendant in error.

No. 874. Edward A. Rumely, appellant, *v.* Thomas D. McCarthy, United States marshal for the Southern District of New York, et al. Submitted by Mr. Stephen C. Baldwin for the appellant, and by Mr. Assistant Attorney General Brown for the appellees.

No. 881. The United States of America, appellant, *v.* The Board of County Commissioners of Osage County, Oklahoma, et al. Argued by Mr. Leslie C. Garnett for the appellant, and by Mr. Preston A. Shinn for the appellees.

No. 914. Mark Eisner, as collector of United States internal revenue for the Third District of the State of New York, plaintiff in error, *v.* Myrtle H. Macomber. Argued by Mr. Assistant Attorney General Frierson for the plaintiff in error, and by Mr. Charles E. Hughes for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 17, will be as follows: Nos. 192, 303, 304, 305, 308, 315, 316, 317, 318, and 319.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 17, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Howard Truman Brockway, of Lafayette, Ind.; Gordon Ireland, of New York City; John F. Reilly, of Portland, Oreg.; Frederic M. Stone, of Boston, Mass.; and Charles Y. Freeman, of Chicago, Ill., were admitted to practice.

No. 192. Chesapeake & Delaware Canal Company, plaintiff in error, *v.* The United States. Argued by Mr. Charles J. Biddle for the plaintiff in error, and submitted by Mr. Solicitor General King, Mr. G. Carroll Todd, and Mr. Lincoln R. Clark for the defendant in error.

No. 303. Hartford Beaumont, assignee of W. Borck, appellant and plaintiff in error, *v.* Mauro Prieto et al. Argued by Mr. Joseph D. Sullivan for the appellant and plaintiff in error, and by Mr. Alexander Britton for the appellees and defendants in error.

No. 304. United States Fidelity and Guaranty Company, plaintiff in error, *v.* The State of Oklahoma et al. Argued by Mr. C. B. Ames for the plaintiff in error, and by Mr. H. L. Stuart for the defendants in error.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogart et al., executors, etc., et al. One hour and forty-five minutes allowed each side for the argument, on motion of Mr. Lewis H. Freedman for the petitioner. Argument commenced by Mr. Lewis H. Freedman for the petitioner.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 21, will be as follows: Nos. 305, 308, 315, 316, 317, 318, 319, 322 (and 323), 324, and 325.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 21, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John F. McNutt, of Rockwood, Tenn., Roscoe M. Ewing, of Cleveland, Ohio, Albert T. Gould, of Boston, Mass., Charles B. Shelton, of Atlanta, Ga., Francis B. Carter, jr., of Pensacola, Fla., William Fisher, of Pensacola, Fla., James B. Lucas, of Checotah, Okla., Britton H. Tabor, of Checotah, Okla., Dudley F. Phelps, of New York City, Henry Sillocks, of New York City, William N. C. Marsh, of New York City, Leon Abbett, of Hoboken, N. J., Alexander Paul Arabi Connor, of District of Columbia, J. A. Gleason, of Du-bois, Pa., Earney Bland, of Cullman, Ala., and James Wilson Bayard, of Philadelphia, Pa., were admitted to practice.

No. 312. *Louisville & Jeffersonville Bridge Company v. The United States of America.* On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Clarke.

No. 242. *New Orleans & Northeastern Railroad Company and United States Fidelity & Guaranty Company, plaintiffs in error, v. Joe Scarlet.* In error to the Supreme Court of the State of Mississippi. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Petition for writ of certiorari denied. Opinion by Mr. Justice Brandeis.

No. 273. *Yazoo & Mississippi Valley Railroad Company and E. H. Ratcliff and L. T. Kennedy, its sureties, plaintiffs in error, v. Mrs. Clara J. Mullins, administratrix of the estate of James Davis Mullins, deceased.* In error to the Supreme Court of the State of Mississippi. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Petition for writ of certiorari denied. Opinion by Mr. Justice Brandeis.

No. 283. A. P. Chalker, administrator de bonis non of the estate of J. W. Wright, jr., deceased, and C. E. Pigford, plaintiffs in error, *v.* The Birmingham & Northwestern Railway Company, The Jackson Construction Company, et al. In error to the Supreme Court of the State of Tennessee. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 282. United Railroads of San Francisco, appellant, *v.* City and County of San Francisco et al. Appeal from the District Court of the United States for the Northern District of California. Decree affirmed with costs, without prejudice to further proceedings to recover any damages to which plaintiff may be entitled. Opinion by Mr. Justice Holmes.

No. 247. James J. Brougham and Arthur N. Stankey, appellants, *v.* Blanton Manufacturing Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Missouri, with directions to dismiss the bill. Opinion by Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 213. Henry L. Rand and Edward L. Rand, executors of Jennie Lathrop Rand, deceased, appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Motion for further findings and motion for writ of certiorari denied. Opinion by Mr. Justice McKenna.

No. 251. Fred A. Perley and W. H. Crockett, plaintiffs in error, *v.* The State of North Carolina. In error to the Supreme Court of the State of North Carolina. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 296. Mary E. Gillis, administratrix of the estate of Alexander J. Gillis, plaintiff in error, *v.* New York, New Haven & Hartford Railroad Company. In error to the Superior Court of the State of Massachusetts. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

The Chief Justice announced the following orders of the court:

No. 22, Original. The State of Tennessee, complainant, *v.* The State of Arkansas et al. Per curiam: Bill dismissed with costs for want of equity on the authority of *Jackson v. United States*, 230 U. S. 1, *Hughes v. United States*, 230 U. S. 24, and *Cubbins v. Mississippi River Commission*, 241 U. S. 351.

No. 26, Original. Ex parte In the matter of Robert H. Thorburn, petitioner. Petition for mandamus. Rule to show cause discharged and petition dismissed. Leave to file supplementary petition denied.

No. 185. Oklahoma Gin Company, plaintiff in error, *v.* The State of Oklahoma, and

No. 494. The Oklahoma Operating Company, appellant, *v.* J. E. Love et al., etc. It is ordered that these cases be restored to the docket for reargument.

No. 860. Fidelity Title & Trust Company, ancillary administrator, etc., petitioner, *v.* The Dubois Electric Company. The motion to reinstate the petition for certiorari, in accordance with the reservation to that effect in the order of March 24, 1919, is allowed. It is ordered that the writ of certiorari be, and the same is hereby, granted.

No. 80. John H. Cochnower, appellant, *v.* The United States. Appeal from the Court of Claims. It is hereby ordered that the judgment in this case entered on January 13, 1919, be, and the same is hereby, restated so as to cause the following to be substituted therefor: This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment for the claimant for compensation for his services at the rate of one dollar per day from the first of July, 1910, to the thirtieth of June, 1913 inclusive; that is, so as to make up the difference between the four dollars per day actually received during the period stated and the five dollars per day which it is adjudged he was entitled to receive during the said period.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit considering the suggestion made to the court by the parties to the above-entitled cause, that all matters of difference between them arising out of the subject matter of this litigation have been satisfactorily adjusted and settled pursuant to the provisions of the act of Congress approved February 26, 1919, entitled "An act to accept from the Southern Oregon Company, a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled 'An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State,' commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes," and, further, considering the joint motion by the said parties to remand the cause, It is hereby ordered that this cause be, and the same is hereby, remanded to the district court, with authority in that court to

modify the final decree in the cause so as to carry into effect the said act of Congress of February 26, 1919.

No. 163. Central of Georgia Railway Company, plaintiff in error, *v.* William A. Wright, Comptroller General, etc. The application to file petition for rehearing is allowed and the rehearing is granted in so far as the validity of the tax in question is involved in or depends upon the charters of the Southwestern and the Muskogee Railroad and the subsequent relevant legislation. As to all other questions in the case, therefore, the request for leave to file the application for rehearing is denied and the case for rehearing, limited as above stated, is ordered restored to the docket for reargument.

No. 94. St. Louis, Iron Mountain & Southern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company; and

No. 95. St. Louis Southwestern Railway Company et al., appellants, *v.* The Southern Cotton Oil Company. Motion to modify decree in these cases denied.

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, Attorney General, et al.; and

No. 976. Northern Pacific Railway Company and Walker D. Hines, as Director General of Railroads, plaintiffs in error, *v.* The State of North Dakota on the relation of William Langer, attorney general. Motions to advance granted, and cases assigned for argument on Monday, May 5 next.

No. 349. Daniel Donahoe, plaintiff in error, *v.* The People of the State of Illinois. Ordered that this case be placed on the summary docket.

No. 832. The Metropolitan West Side Elevated Railway Company et al., plaintiffs in error, *v.* Maclay Hoyne, State's attorney, etc., et al. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing of the cause on the merits.

No. 949. The United States, petitioner, *v.* Northern Pacific Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 957. Frederick J. Macleod and Everett E. Stone, constituting The Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone & Telegraph Company. Petition for a writ of certiorari to the Supreme Judicial Court of the State of Massachusetts granted.

No. 957. Frederick J. Macleod and Everett E. Stone, constituting The Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone & Telegraph Company. Motion to advance granted, and cause assigned for argument on Monday, May 5 next.

No. 553. The Central Trust Company of New York et al., petitioners, *v.* The Texas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 868. Harry B. Duane and Ginter Grocery Company, petitioners, *v.* The Merchants Legal Stamp Company et al.; and

No. 869. Harry B. Duane, petitioner, *v.* The Merchants Legal Stamp Company et al. Petition for writs of certiorari to the Supreme Judicial Court of the State of Massachusetts denied.

No. 893. The United States of America on the relation of Verdine R. Hall, petitioner, *v.* Franklin K. Lane, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 908. E. A. Laughter, petitioner, *v.* The United States of America; and

No. 909. E. A. Laughter and W. N. Fisher, petitioners, *v.* The United States of America. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 927. Evalyn Charlton, administratrix, etc., petitioner, *v.* Chesapeake & Ohio Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 934. Eli G. Frankenstein, petitioner, *v.* Carl M. Jacobs, trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 935. Charles McKnight, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 940. Edna M. Rawls, petitioner, *v.* The Penn Mutual Life Insurance Company of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 954. W. D. Renfro, petitioner, *v.* Charles Olentine et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 979. Max Manson, petitioner, *v.* Harry S. Mesirov, trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 689. Silas White, plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General King for the defendant in error in support of the motion.

No. 912. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America. Bail of Hyman Rosansky, one of the plaintiffs

in error herein, reduced to \$250 on motion of Mr. Solicitor General King in behalf of counsel for the plaintiffs in error.

No. 920. Frank C. Thornton and The Cleveland Stamping & Tool Company, plaintiffs in error, *v.* Thomas J. Duffy, et al., etc. Motion for interlocutory injunction submitted by Mr. Arthur I. Vorys and Mr. Judson Harmon for the plaintiffs in error.

No. 803. Thomas P. Kenney, as administrator, etc., petitioner, *v.* Supreme Lodge of the World, Loyal Order of Moose. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. G. R. Harsh for the petitioner, and by Mr. E. J. Henning for the respondent.

No. 644. B. F. Meharg, plaintiff in error, *v.* Alabama Power Company. Motion to dismiss submitted by Mr. Thomas W. Martin and Mr. O. R. Hood for the defendant in error in support of the motion.

No. —, Original. Ex parte In the matter of J. A. Tracy, petitioner. Motion for leave to renew application for writ of habeas corpus in the District Court of the United States for the District of Colorado submitted by Mr. C. M. Oneill for the petitioner.

No. 328. James A. Murray, plaintiff in error, *v.* Kentucky Traction and Terminal Company. In error to the Circuit Court of Franklin County, State of Kentucky. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 324. The Milwaukee Electric Railway & Light Company, plaintiff in error, *v.* The State of Wisconsin ex rel. City of Milwaukee. Continued per stipulation.

No. 900. W. F. Hallowell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William P. Richardson for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

No. 964. Berlin Mills Company, petitioner, *v.* Procter & Gamble Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Melville Church, Mr. Marcus B. May, and Mr. John C. Pennie for the petitioner, and by Mr. Livingston Gifford and Mr. Thomas B. Kerr for the respondent, and by Mr. Charles E. Hughes and Mr. Royall Victor as amici curiae.

No. 972. Illinois Central Railroad Company, petitioner, *v.* First Trust Company;

No. 973. Chicago & Northwestern Railway Company, petitioner, *v.* First Trust Company; and

No. 974. Northern Pacific Railway Company, petitioner, *v.* First Trust Company. Petition for writs of certiorari to the United States

Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. C. Davis and Mr. Charles A. Helsell for the petitioners, and by Mr. Denis M. Kelleher for the respondent.

No. 388. Webb C. Hayes, plaintiff in error, *v.* The Hocking Valley Railway Company. Motion to dismiss submitted by Mr. John F. Wilson and Mr. Lloyd T. Williams for the defendant in error in support of the motion, and by Mr. Charles A. Seiders for the plaintiff in error in opposition thereto.

No. 504. Fentress Coal & Coke Company, plaintiff in error, *v.* Beecher Elmore. Motion to dismiss or affirm submitted by Mr. John F. McNutt for the defendant in error in support of the motion, and by Mr. White B. Miller for the plaintiff in error in opposition thereto.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogaert et al., Executors, etc., et al. Argument continued by Mr. Lewis H. Freedman and Mr. Gordon M. Buck for the petitioner, by Mr. Charles E. Hughes for the respondents, and concluded by Mr. Gordon M. Buck for the petitioner.

No. 30, Original. Ex parte In the matter of The United States, petitioner. Argument commenced by Mr. Assistant Attorney General Brown for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 22, will be as follows: Nos. 308, 315, 316, 317, 318, 319, 322 (and 323), 325, 293 (and 294), and 67 (and 68).

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SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 22, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Claude M. Gordon, of Franklin, Tenn.; Merrill M. Blackburn, of Washington, D. C.; Bruce Glidden, of Goldfield, Nev.; William M. Hall, of Memphis, Tenn.; Eric Eades, of Dallas, Tex.; and Henry E. Pharr, of Sulphur Springs, Tex., were admitted to practice.

No. 30, original. *Ex parte* In the matter of The United States, petitioner. Argument continued by Mr. Assistant Attorney General Brown for the petitioner, by Mr. Edward E. Blodgett for the respondent, and concluded by Mr. Assistant Attorney General Brown for the petitioner.

No. 308. American Fire Insurance Company, plaintiff in error, *v.* King Lumber & Manufacturing Company. Argued by Mr. Gustavus Remak, jr., for the plaintiff in error and by Mr. Benjamin Micou for the defendant in error.

No. 315. Elias C. Benedict, appellant, *v.* The City of New York. Argued by Mr. Leon Abbett for the appellant and by Mr. Terence Farley for the appellee.

No. 316. The Washington Post Company, petitioner, *v.* John Armstrong Chaloner. Argument commenced by Mr. Wilton J. Lambert for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 23, will be as follows: Nos. 316, 317, 318, 319, 322 (and 323), 325, 293 (and 294), 67 (and 68), 301, and 313 (and 563).

SUPREME COURT OF THE UNITED STATES.

· WEDNESDAY, APRIL 23, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

George E. Bower, of Brooklyn, N. Y., James M. Stevens, of Pocatello, Idaho, John R. Saunders, of Saluda, Va., and Clarence W. Tignor, of Washington, D. C., were admitted to practice.

No. 2, original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Motion to retain jurisdiction submitted by Mr. John R. Saunders for the complainant.

No. 316. The Washington Post Company, petitioner, *v.* John Armstrong Chaloner. Argument continued by Mr. Wilton J. Lambert for the petitioner, by Mr. E. F. Colladay and Mr. Sidney J. Dudley for the respondent, and concluded by Mr. Joseph W. Bailey for the petitioner. Leave granted counsel for respondent to file additional brief within three days.

No. 317. Christopher L. Williams, as receiver, etc., et al., appellants, *v.* William D. Salter. Continued, per stipulation.

No. 318. Christopher L. Williams, as receiver, etc., plaintiff in error, *v.* Mary A. Vreeland. Submitted by Mr. Stuart G. Gibboney for the plaintiff in error, and by Mr. Pierre P. Garven for the defendant in error.

No. 319. Emily R. de Ganey *v.* Ephraim Lederer, collector of internal revenue. Argued by Mr. James Wilson Bayard for de Ganey, and by Mr. Assistant Attorney General Brown for the collector.

Nos. 322 and 323. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* The City and County of Denver et al. Submitted by Mr. E. N. Clark for the plaintiff in error, and by Mr. James A. Marsh and Mr. Norton Montgomery for the defendants in error.

No. 325. L. G. Caldwell et al., appellants, *v.* The United States. Submitted by Mr. William C. Prentiss for the appellants, and by Mr. Assistant Attorney General Frierson for the appellee.

No. 293. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds, surviving and liquidating partner, etc.; and

No. 294. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds et al. Argument commenced by Mr. Francis I. Gowen for the plaintiff in error, continued by Mr. James A. Gleason for the defendants in error, and concluded by Mr. Frederic D. McKenney for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 24, will be as follows: Nos. 67 (and 68), 301, 313 (and 563), 136, 327, 331, 332, 333, and 334.

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SUPREME COURT OF THE UNITED STATES.

THURSDAY, APRIL 24, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Harry W. Mack, of New York City, was admitted to practice.

No. 326. Joseph Schlitz Brewing Company, petitioner, *v.* Houston Ice & Brewing Company et al. Submitted by Mr. Russell Jackson for the petitioner and by Mr. H. M. Garwood for the respondents.

No. 334. The Superior & Pittsburg Copper Company, plaintiff in error, *v.* Frank Tomich, sometimes known as Frank Thomas. Submitted by Mr. C. T. Knapp for the plaintiff in error and by Mr. Samuel Herrick for the defendant in error.

Nos. 67 and 68. F. Vitelli & Son, petitioners, *v.* The United States. Argued by Mr. Albert M. Yuzzolino for the petitioners and by Mr. Assistant Attorney General Hanson for the respondent.

No. 301. P. Sanford Ross, Inc., claimant of the scow "6-S," appellant, *v.* The United States of America. Argued by Mr. A. Leo Everett for the appellant and by Mr. Assistant Attorney General Brown for the appellee.

No. 136. L. Cass Miller et al., appellants, *v.* John Wiethaupt et al. Submitted by Mr. Thomas K. Skinker for the appellants and by Mr. Richard F. Ralph for the appellees. Five days allowed Mr. Thomas K. Skinker to file additional brief and five days thereafter to Mr. Richard F. Ralph to reply.

No. 313. Gabe E. Parker et al., appellants, *v.* Eastman Richard et al., coadministrators, etc.; and

No. 563. Gabe E. Parker et al., appellants, *v.* Eastman Richard et al., coadministrators, etc. Argument commenced by Mr. Assistant Attorney General Kearful for the appellants, continued by Mr. Britton H. Tabor and Mr. James B. Lucas for the appellees, and concluded by Mr. Assistant Attorney General Kearful for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 25, will be as follows: Nos. 327, 331, 333, 289, 335, 341, 342, 343, 344, and 346.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, APRIL 25, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Alexander Pfeiffer, of New York City; Henry Sherman Lower, of Omaha, Nebr.; Daniel Benson Replogle, of Berkeley, Cal.; John Henry Fry, of Denver, Colo.; and F. Barnard Welsh, of Grand Junction, Colo., were admitted to practice.

No. 335. Dan B. Zimmerman, plaintiff in error, *v.* Coi'son County, South Dakota, et al. Submitted by Mr. William G. Porter for the plaintiff in error and by Mr. Clarence C. Caldwell for the defendants in error.

No. 341. Julius Wilbur, plaintiff in error, *v.* The State of Oregon. Continued per stipulation.

No. 342. Erie Railroad Company, petitioner, *v.* John R. Shuart et al. Submitted by Mr. Thomas Watts for the petitioner and by Mr. Reeves J. Strickland for the respondents.

No. 331. The Tayabas Land Company, assignee, etc., plaintiff in error, *v.* The Manila Railroad Company. Argued by Mr. David A. Baer for the plaintiff in error and by Mr. Edward S. Bailey for the defendant in error.

No. 332. Inspiration Consolidated Copper Company, plaintiff in error, *v.* Ceferino Mendez. Argued by Mr. Edward W. Rice for the plaintiff in error and submitted by Mr. Graham Foster for the defendant in error.

No. 333. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Argument commenced by Mr. Thomas J. Walsh for the appellants.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 28, will be as follows: Nos. 333, 327, 289, 776 (and 777), 343, 344, 346, 348, 351, and 358.

SUPREME COURT OF THE UNITED STATES.

MONDAY, APRIL 28, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William F. Kelly, of Camden, N. J.; Robert C. Bell, of St. Joseph, Mo.; Victor E. Wilson, of Lincoln, Nebr.; Henry Yewell Bready, of Baltimore, Md.; Daniel Clary Webb, of Knoxville, Tenn.; William Wisner White, of Cleveland Ohio; Henry Emmet Manghum, of Washington, D. C.; Fred B. Hamill, of Champaign, Ill.; Lorenzo B. da Ponte, of Tacoma, Wash.; and Joseph N. Moonan, of Waseca, Minn., were admitted to practice.

No. 274. J. D. Collett, trustee in bankruptcy of the estate of Ford C. Cotten, bankrupt, appellant, *v.* James R. Adams. Appeal from the District Court of the United States for the Southern District of Texas. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 600. Frank W. Darling, plaintiff in error, *v.* City of Newport News. In error to the Supreme Court of Appeals of the State of Virginia. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 277. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver of the Kansas Natural Gas Company et al.;

No. 329. Kansas City, Missouri, et al., appellants, *v.* John M. Landon, receiver, etc., et al.;

No. 330. Kansas City Gas Company et al., appellants, *v.* Kansas Natural Gas Company et al.; and

No. 353. The Public Utilities Commission for the State of Kansas et al., appellants, *v.* John M. Landon, as receiver, etc., et al. Appeals from the District Court of the United States for the District of Kansas. In these cases it is ordered that the decree entered March 17, 1919, be vacated and decree now entered as follows: The

decrees below are reversed and the cause is remanded to the trial court with directions to hear it anew and determine all the issues involved, including those arising on the several bills, cross bills, and answers in the nature of cross bills, in conformity with the views expressed in the opinion of this court; and to take such further proceedings as may be appropriate and consistent with such opinion. All temporary injunctions in force at the time of the entry of the decrees from which appeals were taken here shall be continued in force until otherwise ordered. The costs in this court will be paid one-half by John M. Landon, receiver of the Kansas Natural Gas Company, and the remainder shall be paid, one-third by each of the three groups of appellants.

No. —, Original. Ex parte In the matter of J. A. Tracy, petitioner. Motion for leave to renew application for writ of habeas corpus in the United States District Court for the District of Colorado. Memorandum for the Court by the Chief Justice. For the purpose of redressing assumed violations of the Constitution and laws of the United States by means of habeas corpus the jurisdiction of other competent courts to afford relief may not be passed by and the original jurisdiction of this court be invoked, in the absence of exceptional conditions justifying such course. (*Matthews v. Ryan*, decided April 14, 1919). When leave to file the petition for habeas corpus was previously denied, without a suggestion as to the existence of any exceptional condition which would have justified a contrary view, such refusal presumably was based on the existence of the right to seek, if desired, other and appropriate sources of relief. From this it follows that although we pass the application of the doctrine, that the refusal of a habeas corpus is not the thing adjudged precluding a subsequent granting of such writ upon the same facts, nevertheless there is here no reason to grant the order prayed, since the previous order rested upon the right and duty to petition for relief, if habeas corpus was desired to other and appropriate sources of judicial power. No reason therefore exists for granting the order and to avoid any implication of a necessity which does not obtain the order is denied.

No. 2, original. Commonwealth of Virginia, complainant, *v.* State of West Virginia. Motion for the appointment of receivers and of a special master. The motion for the appointment of receivers and of a special master is denied.

No. 388. Webb C. Hayes, plaintiff in error, *v.* The Hocking Valley Railway Company. In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S., 89, 100; *Empire State-Idaho*

Mining Co. *v.* Hanley, 205 U. S., 225, 232; Goodrich *v.* Ferris, 214 U. S., 71, 79; Brolan *v.* United States, 236 U. S., 216, 218.

No.-644. B. F. Meharg, plaintiff in error, *v.* Alabama Power Company. In error to the Supreme Court of the State of Alabama. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Statutes at Large, 726.

No. 504. Fentress Coal & Coke Company, plaintiff in error, *v.* Beecher Elmore. In error to the District Court of the United States for the Middle District of Tennessee. Per curiam: Dismissed for want of jurisdiction upon the authority of Aspen Mining & Smelting Co. *v.* Billings, 150 U. S., 31, 37; Brown *v.* Alton Water Co., 222 U. S., 325; Metropolitan Water Co. *v.* Kaw Valley District, 223 U. S., 519; Union Trust Co. *v.* Westhus, 228 U. S., 519; Shapiro *v.* The United States, 235 U. S., 412. See Omaha Baum Iron Store Co. *v.* Moline Plow Co., 244 U. S., 650.

No. 803. Thomas P. Kenney, as administrator, etc., petitioner, *v.* Supreme Lodge of the World, Loyal Order of Moose. Petition for a writ of certiorari to the Supreme Court of the State of Illinois granted.

No. 964. Berlin Mills Company, petitioner, *v.* Procter & Gamble Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 900. W. F. Hallowell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 933. Walter L. Ross, as receiver of Toledo, St. Louis & Western Railroad Company, petitioner, *v.* Pearl I. Schooley, administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 972. Illinois Central Railroad Company, petitioner, *v.* First Trust Company;

No. 973. Chicago & North Western Railway Company, petitioner, *v.* First Trust Company;

No. 974. Northern Pacific Railway Company, petitioner, *v.* First Trust Company. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended for the term on Friday, May 2 next.

No. 202. Southern Oregon Company, appellant, *v.* The United States. Mandate granted, on motion of Mr. Solicitor General King for the appellee.

No. 999. Elizabeth A. Pendleton, administratrix of William Bailey, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Docketed and dismissed, on motion of Mr. Solicitor General King for the appellee.

No. 689. Silas White, plaintiff in error, *v.* The United States of America. Leave granted to file brief of plaintiff in error on motion of Mr. Solicitor General King in behalf of counsel for the plaintiff in error.

No. 956. Mississippi Central Railroad Company, petitioner, *v.* Laura Lott, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. S. E. Travis for the petitioner.

No. 958. James Dorsey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. B. C. Bachrach for the petitioner, and by Mr. Assistant Attorney General Porter and Mr. Harry S. Ridgeley for the respondent.

No. 959. Dennis Kelly et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Ralph Crews, Mr. Judson Harmon, and Mr. E. H. Moore for the petitioners, and by Mr. Assistant Attorney General Porter and Mr. William C. Herron for the respondent.

No. 963. Helen K. Kinney, petitioner, *v.* Oahu Sugar Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, submitted by Mr. David L. Withington, Mr. Alexander Britton, Mr. Evans Browne, and Mr. E. Hasket Derby for the petitioner, and by Mr. Walter F. Frear and Mr. Frank E. Thompson and Mr. Robbins B. Anderson for the respondent.

No. 984. Clarence H. Venner, etc., petitioner, *v.* New York Central & Hudson River Railroad Company et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Elijah N. Zoline for the petitioner, and by Mr. Walter C. Noyes for the respondents.

No. 985. D. W. Enslin, petitioner, *v.* The Mechanics & Metals National Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, submitted by Mr. Forney Johnston for the petitioner, and by Mr. Augustus Benners for the respondent.

No. 987. Edward Thompson and Albert Ingracia, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

submitted by Mr. Alexander S. Drescher for the petitioners, and by Mr. Assistant Attorney General Porter and Mr. William C. Herron for the respondent.

No. 992. Julius F. Smietanka, as collector of internal revenue, etc., petitioner, *v.* American Steel Foundries. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Solicitor General King and Mr. Assistant Attorney General Frierson for the petitioner, and by Mr. Max Pam and Mr. H. B. Hurd for the respondent.

No. 993. Union Sulphur Company, petitioner, *v.* Freeport Texas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles Neave and Mr. Frederick P. Fish for the petitioner, and by Mr. Elihu Root, Mr. Livingston Gifford, Mr. Samuel R. Betts, Mr. James R. Sheffield, and Mr. Joseph C. Fraley for the respondent.

No. 31, Original. The State of Kansas, complainant, *v.* Albert S. Bürleson, Postmaster General of the United States, et al. Motion to set case for hearing submitted by Mr. F. S. Jackson and Mr. A. E. Helm for the complainant.

No. 351. Edward B. Pryor et al., as receivers, etc., petitioners, *v.* Allegra Williams. Continued, per stipulation.

No. 333. Peter Geddes et al., appellants, *v.* Anaconda Copper Mining Company et al. Argument continued by Mr. Thomas J. Walsh for the appellants, by Mr. W. B. Rodgers for the appellees, and concluded by Mr. Thomas J. Walsh for the appellants.

No. 327. Northern Pacific Railway Company et al., plaintiffs in error, *v.* Puget Sound & Willapa Harbor Railway Company. Argued by Mr. Lorenza B. da Ponte for the plaintiffs in error, and by Mr. Heman H. Field for the defendant in error.

No. 289. Guy E. Bowerman, appellant, *v.* C. D. Hamner, as receiver of The First National Bank of Salmon. Argument commenced by Mr. Oliver O. Haga for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 29, will be as follows: Nos. 289, 776 (and 777), 343, 344, 346, 348, 358, 359, 360, and 362.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, APRIL 29, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

John Wesley Dolby, of Seattle, Wash.; Charles C. Cresson, of San Antonio, Tex.; John C. Hermann, of Cincinnati, Ohio; Paul G. Thompson, of Greenville, Tex.; and Frank A. Pierce, of Concord, Mass., were admitted to practice.

No. 31, original. The State of Kansas, complainant, *v.* Albert S. Burleson, Postmaster General of the United States. Motion to set for hearing granted; cause assigned for argument on Monday, May 5 next.

No. 1000. Henry W. Gordon et al., petitioners, *v.* Steamship "Cubadist," Harry L. Michelson, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. G. B. Craighill in behalf of Mr. Alex. T. Howard for the petitioner.

No. 1006. Albert S. Burleson, Postmaster General, appellant, *v.* Thomas E. Dempcy et al., as the Public Utilities Commission of Illinois, et al. Advanced and assigned for argument on Monday, May 5 next, on motion of Mr. Marquis Eaton in behalf of Mr. Edward J. Brundage and Mr. George T. Buckingham for the appellees.

No. 359. Louisiana Western Railroad Company, plaintiff in error, *v.* The City of Crowley. Submitted by Mr. George Denegre, Mr. Victor Leovy, Mr. Philip S. Pugh, and Mr. Henry H. Chaffe for the plaintiff in error and by Mr. P. J. Chappuis and Mr. A. P. Holt for the defendant in error.

No. 362. Seaboard Air Line Railway Company et al., appellants, *v.* The United States of America et al. Passed, on motion of Mr. Solicitor General King for the appellees.

No. 289. Guy E. Bowerman, appellant, *v.* C. D. Hamner, as receiver of The First National Bank of Salmon. Argument continued by Mr.

Oliver O. Haga for the appellant, by Mr. James M. Stevens for the appellee, and concluded by Mr. Oliver O. Haga for the appellant.

Nos. 776 and 777. The United States, plaintiff in error, *v.* August Ferger et al. Argued by Mr. Assistant Attorney General Brown for the plaintiff in error and by Mr. Charles E. Hughes for the defendants in error.

No. 343. Robert L. Coleman, as administrator, et al., appellants, *v.* The United States. Death of Robert L. Coleman suggested, and ordered that cause proceed in the name of surviving appellant, on motion of Mr. H. T. Newcomb for the appellants. Argued by Mr. H. T. Newcomb for the appellants and by Mr. Solicitor General King for the appellee.

No. 344. William H. Sage et al., executors, etc., appellants, *v.* The United States. Argued by Mr. H. T. Newcomb for the appellants and by Mr. Solicitor General King for the appellee.

No. 346. W. E. Carey, plaintiff in error, *v.* The State of South Dakota. Submitted by Mr. Joe Kirby for the plaintiff in error and by Mr. Clarence C. Caldwell and Mr. Edwin R. Winans for the defendant in error.

No. 348. The Raton Water Works Company *v.* The City of Raton. Argument commenced by Mr. A. J. Rose for Raton Water Works Company.

Adjourned until to-morrow at 12 o'clock noon.

The day call for Wednesday, April 30, will be as follows: Nos. 348, 358, 360, 363 (and 364), 365, 366, 368, 371, 372, and 377.

SUPREME COURT OF THE UNITED STATES.

WEDNESDAY, APRIL 30, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Samuel Mayner Wallace, of St. Louis, Mo., John Robert Moulthrop, of San Francisco, Cal., James Craig Peacock, of Philadelphia, Pa., and Oscar L. Shewmake, of Surry, Va., were admitted to practice.

No. 363. William T. Wagner et al., plaintiffs in error *v.* The City of Covington; and

No. 364. Andrew C. Gilligan, doing business under the name of The Eagle Bottling Works, plaintiff in error, *v.* The City of Covington. Continued, per stipulation.

No. 366. Occidental Construction Company, plaintiff in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed, on authority of counsel for the plaintiff in error.

No. 371. Frank A. Bone, petitioner, *v.* Commissioner of Marion County. Passed, on account of sickness of counsel.

No. 372. Great Northern Railway Company, plaintiff in error, *v.* The State of Washington. Continued.

No. 377. Franklin Shaw et al., appellants, *v.* Franklin K. Lane, Secretary of the Interior. Continued, by stipulation.

No. 348. The Raton Water Works Company *v.* The City of Raton. Argument continued by Mr. A. J. Rose for Raton Water Works Company, and by Mr. John Henry Fry for The City of Raton, and concluded by Mr. A. J. Rose for Raton Water Works Company.

No. 358. Bert Rucker, plaintiff in error, *v.* Marion A. Tatlow. Continued, per stipulation.

No. 360. W. A. Hancock et al., plaintiffs in error, *v.* The City of Muskogee, Oklahoma, et al. Submitted by Mr. B. B. Blakeney, Mr. James H. Maxey, Mr. Grant Foreman, and Mr. James D. Simms for

the plaintiffs in error, and by Mr. Nathan A. Gibson and Mr. Joseph L. Hull for the defendants in error.

No. 365. The American Manufacturing Company, plaintiff in error, *v.* The City of St. Louis. Argued by Mr. S. Mayner Wallace for the plaintiff in error, and by Mr. Everett Paul Griffin for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 1, will be as follows: Nos. 368, 379, 381, 382 (and 383), 384, 385, 386, 389, 390, and 391.

SUPREME COURT OF THE UNITED STATES.

THURSDAY, MAY 1, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edna James Sheehy, of Washington, D. C.; Sarah T. Andrew, of Jefferson City, Mo.; Mary Annis Sinclair, of Washington, D. C.; Clarence E. Weir, of Indianapolis, Ind.; Charles W. Richards, of Indianapolis, Ind.; Richard M. Page, of New York City; and Earl H. Turner, of Dayton, Ohio, were admitted to practice.

No. 957. Frederick J. Macleod and Everett E. Stone, constituting the Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone and Telegraph Company; and

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, Attorney General, et al. Leave granted to the Attorney General of the State of Ohio to file brief herein as *amicus curiæ*, on motion of Mr. Solicitor General King in that behalf.

No. 368. Capital Trust Company, administrator, etc., plaintiff in error, *v.* C. C. Calhoun. Passed temporarily.

No. 379. St. Louis, Iron Mountain & Southern Railway Company, plaintiff in error, *v.* Dicksey Williams and Lucy Williams. Continued, per stipulation.

No. 384. Thomas J. Evans, sole surviving receiver, etc., petitioner, *v.* National Bank of Savannah. Continued.

No. 385. South Coast Steamship Company, petitioner, *v.* J. C. Rudbach. Continued.

No. 386. Edward E. O'Brien et al., plaintiffs in error, *v.* The Public Service Commission of the First District of the State of New York, etc. Continued.

No. 389. William F. Hays, appellant, *v.* Port of Seattle, The State of Washington, et al. Continued, per stipulation.

No. 390. St. Louis, Iron Mountain & Southern Railway Company, appellant, *v.* The United States. Passed, on motion of Mr. Benj. Carter for the appellant.

No. 391. Robert P. Ervien, Commissioner of Public Lands of the State of New Mexico, appellant, *v.* The United States of America. Continued.

No. —, Original. Ex parte In the matter of Mecanno, Limited, petitioner. Motion for leave to file a petition for a writ of mandamus or a writ of prohibition herein submitted by Mr. Reeve Lewis for the petitioner.

No. 381. The Portsmouth Harbor Land & Hotel Company et al., appellants, *v.* The United States. Argued by Mr. John Lowell for the appellants, and by Mr. Assistant Attorney General Brown for the appellee.

Nos. 382 and 383. Southern Pacific Company, plaintiff in error, *v.* J. V. Terry. Argued by Mr. C. F. R. Ogilby for the plaintiff in error, and submitted by Mr. Frederick S. Tyler for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 2, will be as follows: Nos. 368, 395, 396, 397, 399, 400, 401, 402, 403, and 405.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, MAY 2, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandies, and Mr. Justice Clarke.

John C. Robinson, of New York City, was admitted to practice.

No. 395. Maryland Casualty Company, appellant, *v.* The United States. Passed, on motion of Mr. B. E. Barlow for the appellant.

No. 397. Margaret H. Sanger, plaintiff in error, *v.* The People of the State of New York. Continued, per stipulation.

No. 399. Enrique Flores Magon and Ricardo Flores Magon, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank P. Walsh for the petitioners, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 400. The Birge-Forbes Company, petitioner, *v.* Carl R. Heye. Continued.

No. 401. Henry Peters et al., plaintiffs in error, *v.* Thomas Veasey. Continued.

No. 402. Gulf, Colorado & Santa Fe Railway Company et al., plaintiffs in error, *v.* George H. Bowles. Continued.

No. 403. Frank P. McCloskey, plaintiff in error, *v.* John W. Tobin, Sheriff of Bexar County, Texas. Continued.

No. 405. H. Turner et al., executors, etc., plaintiffs in error, *v.* J. P. Wade, Sheriff of Brooks County, Georgia. Continued.

No. 368. Capital Trust Company, administrator, etc., plaintiff in error, *v.* C. C. Calhoun. Argument commenced by Mr. T. L. Edelen for the plaintiff in error; continued by Mr. Charles F. Consaul and Mr. Joseph W. Bailey for the defendant in error, and concluded by Mr. T. L. Edelen for the plaintiff in error.

No. 396. The New York, New Haven & Hartford Railroad Company, appellant, *v.* The United States. Argued by Mr. Edward G. Buckland and Mr. S. S. Ashbaugh for the appellant, and Mr. Assist-

ant Attorney General Brown for the appellee. Leave to counsel for the appellee to file brief in ten days, and five days to appellant to file reply.

Adjourned until Monday next, at 12 o'clock.

The assignment for Monday, May 5, will be as follows: Nos. 976, 967, 957, 31 original, and 1006.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 5, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Berne H. Evans, of Harrisburg, Pa.; Frank M. Hunter, of Harrisburg, Pa.; Walter H. Eckert, of Chicago, Ill.; Raymond S. Pruitt, of Chicago, Ill.; Charles C. Russell, of Milwaukee, Wis.; Clarence Longacre, of Louisville, Ky.; George R. Harvey, of Manila, P. I.; Roger Shale, of Washington, D. C.; Abram F. Myers, of Washington, D. C.; Robert J. Mawhinney, of Washington, D. C.; David R. Radovsky, of Fall River, Mass.; Ben A. Matthews, of New York City; Herbert S. Bonham, of Beeville, Tex.; H. Findlay French, of Baltimore, Md.; Lott R. Herrick, of Farmer City, Ill.; Fred S. Holsteen, of Burlington, Iowa; Frank L. Hatch, of Springfield, Ill.; Homer C. Corry, of Springfield, Ohio; James Q. Smith, of Montgomery, Ala.; Mark A. Copeland, of Cleveland, Ohio; Richard J. Hopkins, of Topeka, Kans.; Earle L. Parmelee, of Washington, D. C.; Malcolm S. McN. Watts, of New York City; Horace C. Wilkinson, of Birmingham, Ala.; Earle N. Floyd, of Jackson, Miss.; Ferdinand Tannenbaum, of Washington, D. C.; M. B. Olbrich, of Madison, Wis.; Bernard J. Myers, of Lancaster, Pa.; William I. Schaffer, of Chester, Pa.; Byron S. Payne, of Pierre, S. Dak.; John W. Raish, of Aberdeen, S. Dak.; and Frank E. Packard, of Bismarck, N. Dak., were admitted to practice.

No. 215. *Skinner and Eddy Corporation, appellant, v. The United States of American et al.* Appeal from the District Court of the United States for the District of Oregon. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 228. *Standard Computing Scale Company, Limited, appellant, v. John F. Farrell*, as State superintendent of weights and measures of the State of New York. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 303. Hartford Beaumont, assignee of W. Borck, appellant and plaintiff in error, *v. Mauro Prieto et al.*, as administrators, etc. Appeal from and in error to the Supreme Court of the Philippine Islands. Judgement affirmed with costs. Opinion by Mr. Justice Holmes.

No. 348. The Raton Water Works Company *v. The City of Raton*. On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Question certified answered in the negative. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 920. Frank C. Thornton and The Cleveland Stamping and Tool Company, plaintiffs in error, *v. Thomas J. Duffy and Herbert L. Eliot*, members of and composing the Industrial Commission of Ohio. Interlocutory injunction granted upon the giving of bond in the sum of \$1,000, to be approved by the clerk of this court.

No. 382. Southern Pacific Company, plaintiff in error, *v. J. V. Terry*. In error to the Supreme Court of the State of California; and

No. 383. Southern Pacific Company, plaintiff in error, *v. J. V. Terry*. In error to the District Court of Appeal, Second Appellate District, State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916 (ch. 448, 39 Stats. L., 726).

No. 359. Louisiana Western Railroad Company, plaintiff in error, *v. The City of Crowley*. In error to the Supreme Court of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Consolidated Turnpike Co. *v. Norfolk, etc.*, Ry. Co. (228 U. S., 596, 599; Municipal Securities Corporation *v. Kansas City*, 246 U. S., 63, 69; Bilby *v. Stewart*, 246 U. S., 255, 257; (2) Stearns *v. Minnesota ex rel. Marr*, 179 U. S., 223; Board of Liquidation *v. Louisiana ex rel. Wilder*, 179 U. S., 622).

No. 335. Dan B. Zimmerman, plaintiff in error, *v. Corson County, South Dakota, et al.* In error to the Supreme Court of the State of South Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code, as amended by the act of September 6, 1916 (ch. 448, 39 Stats. L., 726); (2) Consolidated Turnpike Co. *v. Norfolk, etc.*, Ry. Co. (228 U. S., 326, 334); St. Louis & San Francisco R. R. Co. *v. Shepherd* (240 U. S., 240, 241); Bilby et al. *v. Stewart* (246 U. S., 255, 257).

No. —, Original. Ex parte In the matter of Meccano, Limited, petitioner. Motion for leave to file petition for a writ of mandamus or a writ of prohibition denied.

No. 956. Mississippi Central Railroad Company, petitioner, *v.* Laura Lott, administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 958. James Dorsey, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 959. Dennis Kelley et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 963. Helen K. Kinney, petitioner, *v.* Oahu Sugar Company, Limited. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 984. Clarence H. Venner, etc., petitioner, *v.* New York Central & Hudson River Railroad Company et al. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 985. D. W. Enslin, petitioner, *v.* The Mechanics & Metals National Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 987. Edward Thompson and Albert Ingracia, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 992. Julius F. Smietanka, as collector of internal revenue, etc., petitioner, *v.* American Steel Foundries. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 993. Union Sulphur Company, petitioner, *v.* Freeport Texas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1000. Henry W. Gordon et al., petitioners, *v.* The Steamship *Cubadist*, Harry L. Michelson, claimant. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 399. Enrique Flores Magon and Ricardo Flores Magon, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 492. Ohio Valley Water Company, plaintiff in error, *v.* Ben Avon Borough et al.; and

No. 759. Alex. J. Groesbeck et al., appellants, *v.* Duluth, South Shore & Atlantic Railway Company. Ordered that these cases be reassigned for Monday, October 13 next.

Order.—The Reporter having represented that owing to the number of decisions at the present term it would be impracticable to put the reports in one volume, it is, therefore, now here ordered that he publish an additional volume in this year, pursuant to section 226 of the Judicial Code, approved March 3, 1911.

The Chief Justice also announced that after the conclusion of the arguments in the cases specially assigned for to-day, the court will take a recess until Monday, the 19th instant. No petitions for writs of certiorari or motions, except motions for admission to practice, will be received after Monday, June 2.

No. 741. Agnes Smedley et al., appellants, *v.* Thomas D. McCarthy, United States marshal, etc. Motion to dismiss or affirm submitted by Mr. Solicitor General King and Mr. Assistant Attorney General O'Brien for the appellee in support of the motion, and by Mr. Gilbert E. Roe and Mr. Charles Recht for the appellants in opposition thereto.

No. 1006. Albert S. Burleson, Postmaster General, appellant, *v.* Thomas E. Dempcy et al., constituting the Public Utilities Commission of Illinois et al. Motion to continue supersedeas submitted by Mr. Solicitor General King for the appellant.

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, attorney general, et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. William I. Schaffer for the State of Pennsylvania.

No. —, Original. The State of Pennsylvania, complainant, *v.* The State of West Virginia. Motion for leave to file bill of complaint submitted by Mr. William I. Schaffer for the complainant.

No. —, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion for leave to file bill of complaint submitted by Mr. John G. Price for the complainant.

No. 996. Silverthorne Lumber Company, Inc., et al., plaintiffs in error, *v.* The United States of America. Motion to admit Frederick W. Silverthorne to bail submitted by Mr. Frederic D. McKenney for the plaintiffs in error, with leave to the Solicitor General to file brief within two days.

No. 944. Southern Pacific Company, plaintiff in error, *v.* Leo L. D'Utassy. Petition for a writ of certiorari herein submitted by Mr. A. A. Hoehling in behalf of Mr. Fred H. Wood for the plaintiff in error and by Mr. Arthur W. Clement and Mr. Wilson E. Tipple for the defendant in error.

No. —, Original. *Ex parte* in the matter of Clarence L. Ziegler, petitioner. Motion for leave to file petition for a writ of habeas corpus submitted by Mr. J. H. Adrians for the petitioner.

No. 957. Frederick J. Macleod et al., etc., petitioners, *v.* New England Telephone & Telegraph Company; and

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota *ex rel.* Byron S. Payne, attorney general, et al. Leave granted to file brief as *amicus curiæ*, on motion of Mr. Charles E. Elmquist for certain 37 States of the Union and National Association of Railroad and Public Utility Commissioners.

No. 986. Erie Railroad Company, petitioner, *v.* Antonio Szary. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William C. Cannon for the petitioner and by Mr. John C. Robinson for the respondent.

No. 851. Niles-Bement-Pond Company, appellant, *v.* Iron Moulders' Union Local No. 68 et al. Petition for a writ of certiorari herein submitted by Mr. Lawrence Maxwell and Mr. Murray Seasongood for the appellant.

No. 970. The Tug *International*, her engines, etc., and the International Bridge Company, petitioners, *v.* William L. McFadden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Adelbert Moot for the petitioners and by Mr. Lester F. Gilbert for the respondents.

No. 971. Erie Railroad Company, petitioner, *v.* William M. Collins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Adelbert Moot for the petitioner and by Mr. Hamilton Ward for the respondent.

No. 988. James Gray, trustee, etc., petitioner, *v.* Ella L. Moore; and

No. 989. James Gray, trustee, etc., petitioner, *v.* Josie G. Hanrahan. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Harry H. Schutte for the petitioner, and by Mr. Andrew J. Nellis for the respondents.

No. 990. The City of Omaha, in the State of Nebraska, petitioner, *v.* Omaha Electric Light & Power Company. Petition for a writ of

certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William C. Lambert for the petitioner, and by Mr. William D. McHugh for the respondent.

No. 991. Parlin & Orendorff Implement Company, petitioner, *v.* Mrs. Leona Frey. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas submitted by Mr. Joseph Manson McCormick and Mr. Francis Marion Etheridge for the petitioner.

No. 976. Northern Pacific Railway Company and Walker D. Hines, as Director General of Railroads, plaintiffs in error, *v.* The State of North Dakota on the relation of William Langer, attorney general. Argument commenced by Mr. John Barton Payne for the plaintiffs in error, continued by Mr. Frank E. Packard and Mr. W. V. Tanner, for the defendant in error, and concluded by Mr. Charles Donnelly for the plaintiffs in error.

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, attorney general, et al.;

No. 957. Frederick J. Macleod and Everett E. Stone, constituting The Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone & Telegraph Company;

No. 31, Original. The State of Kansas, complainant, *v.* Albert S. Burleson, Postmaster General of The United States, and Southwestern Bell Telephone Company; and

- No. 1006. Albert S. Burleson, Postmaster General, appellant, *v.* Thomas E. Dempcy et al. etc., et al. Leave granted to file brief on behalf of The State of Wisconsin as amicus curiae, on motion of Mr. M. B. Olbrich in that behalf. Leave granted to file brief on behalf of The City of Detroit as amicus curiae, on motion of Mr. Hal H. Smith in that behalf. Leave granted to file brief in behalf of Protective Telephone Association of Baltimore as amicus curiae, on motion of Mr. Ogle Marbury in that behalf.

Four hours allowed for the argument of these cases.

Argument commenced by Mr. Solicitor General King for Burleson et al. and continued by Mr. William Harold Hitchcock for Public Service Commission of Massachusetts.

Adjourned until to-morrow at 12 o'clock.

The day call has been suspended for the term.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, MAY 6, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Hugh S. Hill, of Washington, D. C.; Felix E. Blackburn, of Birmingham, Ala.; Wilbur Ryman, of Muncie, Ind.; Lester S. Hill, jr., of Providence, R. I.; Frank P. Christensen, of Olympia, Wash.; and Ledyard Park Hale, of Canton, Ohio, were admitted to practice.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burleson et al.; and

No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burleson et al. Suggestion that these cases have become moot submitted by Mr. Solicitor General King for the appellees.

No. 967. Dakota Central Telephone Company et al., plaintiffs in error, *v.* The State of South Dakota ex rel. Byron S. Payne, attorney general, et al.;

No. 957. Frederick J. Macleod and Everett E. Stone, constituting The Public Service Commission of Massachusetts, petitioners, *v.* New England Telephone & Telegraph Company;

No. 31, original. The State of Kansas, complainant, *v.* Albert S. Burleson, Postmaster General of The United States, and Southwestern Bell Telephone Company; and

No. 1006. Albert S. Burleson, Postmaster General, appellant, *v.* Thomas E. Dempcy et al. Argument continued by Mr. William Harold Hitchcock for Public Service Commission of Massachusetts, by Mr. Oliver E. Sweet for the defendants in error in No. 967, by Mr. Fred S. Jackson for the complainant in No. 31, original, by Mr. Raymond S. Pruitt for the appellees in No. 1006, and concluded by Mr. Henry S. Robbins for the appellant in No. 1006.

No. 1006. Albert S. Burleson, Postmaster General, appellant, *v.* Thomas E. Dempcy et al. Motion to continue supersedeas and temporary injunction in force granted.

Adjourned until Monday, the 19th instant.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MAY 19, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

William Chandler Rogers, of Boston, Mass., William Cooke McKean, of Uniontown, Pa., William Mellard Conner, jr., of Manila, P. I., Herbert Massey Peck, of Oklahoma City, Okla., Edward L. Smith, of Phillipsburg, N. J., Dana Taylor Gallup, of Boston, Mass., William S. Weeks, of Lyons, N. Y., Edward T. England, of Charleston, W. Va., Lodwic C. Davis, of Middleport, Ohio, Mansfield Ferry, of New York City, John J. Dwyer, of New York City, R. C. Klugescheid, of New York City, William F. Burns, of Washington, D. C., William H. Ramsey, of Washington, D. C., Melvin T. Dunlavy, of Santa Fe, N. Mex., John P. McCarthy, of Boston, Mass., Lionel Henry Camfield, of Washington, D. C., Meade Vestal, of Noblesville, Ind., Elwood Murphy, of Columbus, Ohio, B. E. Haney, of Portland, Oreg., John P. Hannon, of Portland, Oreg., Lloyd R. Freeman, of Fairfax, Va., Solomon T. Clanton, of Chicago, Ill., George H. Richards, of New York City, Alfred M. Beasley, of Linton, Ind., Freeman Lenore Martin, of Wichita, Kans., and Richard T. Fleming, of Houston, Tex., were admitted to practice.

No. 192. Chesapeake & Delaware Canal Company, plaintiff in error, *v.* The United States of America. In Error to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the District of Delaware. Opinion by Mr. Justice Clarke.

No. 485. William Kinzell, petitioner, *v.* Chicago, Milwaukee & St. Paul Railway Company. On writ of certiorari to the Supreme Court of the State of Idaho. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clarke.

No. 346. W. E. Carey, plaintiff in error, *v.* The State of South Dakota. In Error to the Supreme Court of the State of South Dakota. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 304. United States Fidelity and Guaranty Company, plaintiff in error, *v.* The State of Oklahoma et al. In Error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 865. Alexander Berkman and Emma Goldman, plaintiffs in error, *v.* The United States of America. In Error to the District Court of the United States for the Southern District of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 171. Rust Land and Lumber Company, plaintiff in error, *v.* Ed. Jackson et al. In Error to the Supreme Court of the State of Mississippi. Dismissed for want of jurisdiction, and petition for writ of certiorari denied. Opinion by Mr. Justice Pitney.

No. 241. Donatto Fillippon, petitioner, *v.* Albion Vein Slate Company. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney.

No. 256. The New York Central Railroad Company, petitioner, *v.* Samuel Goldberg. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 309. William F. Brothers, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Pitney.

No. 374. Mackay Telegraph & Cable Company, plaintiff in error, *v.* The City of Little Rock. In Error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 472. Philadelphia, Baltimore & Washington Railroad Company, petitioner, *v.* Alfred H. Smith. On writ of certiorari to the Court of Appeals of the State of Maryland. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 591. The United States of America, petitioner, *v.* Suda Reynolds. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Western District of Oklahoma for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Pitney.

No. 179. John Kenny, petitioner, *v.* Laban Miles et al. On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 254. Gabe E. Parker, as Superintendent for the Five Civilized Tribes, et al., appellants, *v.* Tootie Riley, a minor, by U. C. Stockton, her guardian, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Oklahoma for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

No. 7, Original. The State of Arkansas, complainant, *v.* The State of Mississippi. Ordered that a commission be appointed to locate boundary line between the States at the place in question in accordance with the principles set forth in the opinion of this Court. Opinion by Mr. Justice Day.

No. 227. Ball Engineering Company, petitioner, *v.* J. G. White & Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the District of Connecticut for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Day.

No. 326. Joseph Schlitz Brewing Company, petitioner, *v.* Houston Ice & Brewing Company et al. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Texas. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McKenna and Mr. Justice Pitney.

No. 343. Louise L. Coleman, as Administratrix of the Estate of Walter H. Coleman, deceased, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Holmes.

No. 344. William H. Sage et al., Executors, etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment reversed and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes.

No. 308. American Fire Insurance Company, plaintiff in error, *v.* King Lumber & Manufacturing Company. In Error to the Supreme Court of the State of Florida. Judgment affirmed with costs. Opinion by Mr. Justice McKenna.

No. 325. L. G. Caldwell et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by

Mr. Justice McKenna. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 331. The Tayabas Land Company, Assignee and Successor of Romana Velásquez et al., plaintiff in error, *v.* The Manila Railroad Company. In Error to the Supreme Court of the Philippine Islands. Judgment affirmed with costs. Opinion by Mr. Justice McKenna. (Mr. Justice Brandeis concurs in the result.)

No. 381. The Portsmouth Harbor Land and Hotel Company et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the Court:

No. 136. L. Cass Miller et al., appellants, *v.* John Wiethaupt et al. Appeal from the District Court of the United States for the Eastern District of Missouri. Per curiam: Affirmed upon the authority of State ex rel. Clay County *v.* Hackman, 270 Mo. 658.

No. 205. The United States, appellant, *v.* A. H. Heyward et al., Administrators, etc. Appeal from the Court of Claims. Per curiam: Judgment affirmed by an equally divided court.

No. 689. Silas White, plaintiff in error, *v.* The United States of America. In Error to the District Court of the United States for the District of Nebraska. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) Equitable Life Assurance Society *v.* Brown, 187 U. S. 308, 314; Consolidated Turnpike Co. *v.* Norfolk, etc., Ry. Co., 228 U. S. 596, 600; Manhattan Life Ins. Co. *v.* Cohen, 234 U. S. 123, 137; Pennsylvania Hospital *v.* Philadelphia, 245 U. S. 20, 24; (2) United States *v.* Kagama, 118 U. S. 375; United States *v.* Celestine, 215 U. S. 278; Donnelly *v.* United States, 228 U. S. 243, 270; United States *v.* Sandoval, 231 U. S. 28, 39; United States *v.* Nice, 241 U. S. 591.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton; and

No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burleson and Newcomb Carlton. Appeals from the District Court of the United States for the Southern District of New York. The attention of counsel for the appellants is directed to the statement made by the United States that the property whose control was at issue has been returned to its owners, and to the suggestion that as a result all the issues in the controversy have become moot, with leave to both sides to submit their printed views on the subject.

No. —, Original. Ex parte In the matter of Clarence L. Ziegler, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied.

No. —, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia. Motion for leave to file the bill of complaint herein granted, and process ordered to issue returnable Monday, October 6 next.

No. —, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion for leave to file the bill of complaint herein granted, and process ordered to issue returnable on Monday, October 6 next.

No. 996. Silverthorne Lumber Company, Inc., et al., plaintiffs in error, *v.* The United States of America. Motion that Frederick W. Silverthorne, one of the plaintiffs in error, be admitted to bail pending the hearing of this case, denied.

No. 741. Agnes Smedley et al., appellants, *v.* Thomas D. McCarthy, U. S. Marshal, etc. Further consideration of the motion to dismiss or affirm in this cause postponed to the hearing on the merits.

No. 914. Mark Eisner, as Collector of United States Internal Revenue, etc., plaintiff in error, *v.* Myrtle H. Macomber. Ordered that this cause be restored to the docket for reargument.

No. 851. Niles-Bement-Pond Company, appellant, *v.* Iron Moulders Union, Local No. 68, et al. Further consideration of the petition for a writ of certiorari in this cause postponed to the hearing on the appeal.

No. 986. Erie Railroad Company, petitioner, *v.* Antonio Szary. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 971. Erie Railroad Company, petitioner, *v.* William M. Collins. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 944. Southern Pacific Company, plaintiff in error, *v.* Leo L. D'Utassy. Petition for a writ of certiorari herein denied.

No. 970. The Tug *International*, her engines, etc., and The International Bridge Company, petitioners, *v.* William L. McFadden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 988. James Gray, Trustee, etc., petitioner, *v.* Ella L. Moore. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 989. James Gray, trustee, etc., petitioner, *v.* Josie G. Hanrahan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 990. The City of Omaha, in the State of Nebraska, petitioner, *v.* Omaha Electric Light & Power Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 991. Parlin & Orendorff Implement Company, petitioner, *v.* Mrs. Leona Frey. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas denied.

No. 1012. Rensselaer & Saratoga Railroad Company, petitioners, *v.* The Delaware & Hudson Company, impleaded with Roscoe Irwin, Collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. George B. Wellington for the petitioner.

No. 797. Mary Willem, a Creditor of Mrs. Kate King, a Bankrupt, appellant, *v.* Dawson E. Bradley, Trustee, etc. Motion for leave to proceed in forma pauperis submitted by Mr. Stanley D. Willis in behalf of the appellant.

No. 349. Daniel Donahoe, plaintiff in error, *v.* The People of the State of Illinois. Motion to dismiss submitted by Mr. Charles Henry Butler in behalf of Mr. Edward J. Brundage for the defendant in error in support of the of the motion, and by Mr. Leo L. Donahoe for the plaintiff in error in opposition thereto.

No. 6, Original. The State of New Mexico, complainant, *v.* The State of Texas. Leave granted to file pleadings nunc pro tunc, on motion of Mr. A. A. Jones in behalf of counsel for the complainant.

No. 889. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, Jr., and William F. Gray. Motion to advance submitted by Mr. William St. John Tozer for the respondents in support of the motion, and by Mr. Emanuel J. Myers and Mr. Gordon S. P. Kleeberg for the petitioners in opposition thereto.

No. —, Original. Ex parte In the matter of W. Gordon McCabe, Jr., et al., petitioners. Motion for leave to file petition for a writ of mandamus herein submitted by Mr. William St. John Tozer for the petitioners, and by Mr. Emanuel J. Meyers and Mr. Gordon S. P. Kleeberg for the respondents in opposition thereto.

No. 997. Chester A. Snow, petitioner, *v.* Addis H. Snow. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Frederic D. McKenney and Mr. George P.

Hoover for the petitioner, and by Mr. Henry E. Davis for the respondent.

No. 1014. Philip F. du Pont et al., petitioners, *v.* Pierre S. du Pont et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Glasgow, jr., Mr. Henry P. Brown, and Mr. Robert Pennington for the petitioner, and by Mr. George S. Graham, Mr. George W. Pepper, and Mr. William H. Button for the respondents.

No. 565. Wilson Scott Norris, appellant, *v.* The United States. Motion to remand cause to the Court of Claims for further findings submitted by Mr. Harry J. Gerrity in behalf of Mr. L. T. Michener and Mr. William E. Russell for the appellant.

No. 33, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia. Motion for preliminary injunction submitted by Mr. A. Leo Weil for the complainant.

No. —. Elbert R. Robinson *v.* Chicago City Railway Company and The American Car and Foundry Company. Motion for an appeal submitted by Mr. Solomon T. Clanton for Robinson.

No. 34, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motion for preliminary injunction submitted by Mr. J. R. Price for the complainant.

No. 961. Elaborated Roofing Company of Buffalo, Inc., et al., petitioners, *v.* Charles S. Bird. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Petition dismissed, on motion of counsel for the petitioners.

No. 926. Adolph Lipman, petitioner, *v.* Abraham Slimmer, Jr., and Charles Bechhoefer, Executors, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Louis H. Salinger for the petitioner, and by Mr. Thomas D. O'Brien, Mr. Edward T. Young, and Mr. Alexander E. Horn for the respondents.

No. 965. Mineral Development Company, petitioner, *v.* Kentucky Coal Lands Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. F. Bullitt, Mr. E. L. Worthington, Mr. W. B. Dixon, and Mr. S. B. Dishman for the petitioner, and by Mr. Edward C. O'Rear, Mr. Henry Fitts, and Mr. Edward E. Barthell for the respondent.

No. 1001. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v.* Mrs. E. B. Carpenter, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas submitted by Mr.

Evans Browne and Mr. J. W. Terry for the petitioner, and by Mr. A. L. Curtis and Mr. Winbourne Pearce for the respondent.

No. 1005. Guaranty Trust Company of New York, petitioner, *v.* Chatham & Phenix National Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank M. Patterson for the petitioner, and by Mr. David L. Podell for the respondent.

No. 1013. Harvey D. Apgar, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John C. Theus for the petitioner, and by Mr. Assistant Attorney General Porter for the respondent.

Adjourned until Monday, June 2 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 2, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Edward Seaburn Brashears, of Washington, D. C., Charles Stuart Macdonald, of Pawhuska, Okla., Fred Blair Townsend, of Phoenix, Ariz., Milton W. Mangus, of Indianapolis, Ind., George A. H. Fraser, of Denver, Colo., H. B. Jones, of Seattle, Wash., Harrison S. Green, of Milwaukee, Wis., Percy H. Moore, of Washington, D. C., W. Herbert Adams, of New York City, Raymond H. Lang, of Chicago, Ill., Charles C. Williams, of Chicago, Ill., Noah C. Bainum, of Springfield, Ill., John R. Wheeler, of Vale, Oreg., George Gowen Parry, of Philadelphia, Pa., Bertha J. Strootman, of Buffalo, N. Y., William H. Whitten, jr., of Washington, D. C., Thomas F. Lane, of Cape Girardeau, Mo., William A. Woodruff, of Stillwell, Okla., Austin L. Richardson, of Detroit, Mich., Basil D. Edwards, of Canmer, Ky., John H. Pelletier, of Spokane, Wash., Samuel F. Block, of Chicago, Ill., Brenton K. Fisk, of Birmingham, Ala., Lyttleton Fox, of New York City, Fitzgerald Hall, of Nashville, Tenn., Herman J. Galloway, of Terre Haute, Ind., Paul Killiam, of Pittsburgh, Pa., and Nicholas M. Goodlett, of New York City, were admitted to practice.

No. 327. Northern Pacific Railway Company et al., plaintiffs in error, *v.* Puget Sound & Willapa Harbor Railway Company. In Error to the Supreme Court of the State of Washington. Judgment affirmed with costs. Opinion by Mr. Justice Clarke.

No. 599. Minerals Separation, Limited, et al., petitioners, *v.* Butte & Superior Mining Company, designated as Butte & Superior Copper Company, Limited. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed in part and affirmed in part; and cause remanded to the District Court of the United States for the District of Montana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Clarke.

No. 279. P. D. Camp et al., petitioners, *v.* Morgan V. Gress. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment as to John M. Camp reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of Virginia with directions to dismiss the suit as to him. Judgment as to P. D. and P. R. Camp affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Virginia. Opinion by Mr. Justice Brandeis.

No. 315. Elias C. Benedict, appellant, *v.* The City of New York. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Brandeis.

No. 708. The United States, appellant, *v.* Conrad S. Babcock; and

No. 915. The United States, appellant, *v.* Herbert B. Hayden. Appeals from the Court of Claims. Judgments reversed; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 316. The Washington Post Company, petitioner, *v.* John Armstrong Chaloner. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs; and cause remanded to the Supreme Court of the District of Columbia with instructions to grant a new trial. Opinion by Mr. Justice McReynolds. (Mr. Justice Clarke took no part in the consideration and decision of this case.)

No. 318. Christopher L. Williams, as Receiver of the First National Bank of Bayonne, New Jersey, plaintiff in error, *v.* Mary A. Vreeland. In Error to the United States Circuit Court of Appeals for the Third Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of New Jersey. Opinion by Mr. Justice McReynolds.

No. 828. The United States, plaintiff in error, *v.* Colgate & Company. In Error to the District Court of the United States for the Eastern District of Virginia. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 30, Original. Ex parte In the matter of The United States, petitioner. Rule to show cause discharged and petition for writ of prohibition and mandamus dismissed. Opinion by Mr. Justice Pitney.

No. 52. Lincoln Gas & Electric Light Company, appellant, *v.* The City of Lincoln et al. Appeal from the District Court of the United

States for the District of Nebraska. Decree modified and affirmed with costs. Opinion by Mr. Justice Pitney.

No. 301. P. Sanford Ross, Inc., Claimant of the Scow 6-S, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Pitney.

No. 763. Frank W. Blair, plaintiff in error, *v.* The United States of America;

No. 764. Allan A. Templeton, plaintiff in error, *v.* The United States of America; and

No. 765. Thomas P. Phillips, plaintiff in error, *v.* The United States of America. In Error to the District Court of the United States for the Southern District of New York. Final orders affirmed. Opinion by Mr. Justice Pitney.

No. 766. Frank W. Blair, appellant, *v.* The United States of America et al.;

No. 767. Allan A. Templeton, appellant, *v.* The United States of America et al.; and

No. 768. Thomas P. Phillips, appellant, *v.* The United States of America et al. Appeals from the District Court of the United States for the Southern District of New York. Final orders affirmed. Opinion by Mr. Justice Pitney.

No. 874. Edward A. Rumely, appellant, *v.* Thomas D. McCarthy, United States Marshal for the Southern District of New York, et al. Appeal from the District Court of the United States for the Southern District of New York. Final order affirmed with costs. Opinion by Mr. Justice Pitney. Dissenting; Mr. Chief Justice White.

Nos. 313 and 563. Gabe E. Parker et al., etc., appellants *v.* Eastman Richard et al., Co-Administrators, etc. Appeals from the United States Circuit Court of Appeals for the Eighth Circuit. Decrees reversed with costs; and causes remanded to the District Court of the United States for the Eastern District of Oklahoma for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

Nos. 322 and 323. The Denver & Rio Grande Railroad Company, plaintiff in error, *v.* The City and County of Denver et al. In Error to the Supreme Court of the State of Colorado and the District Court of the City and County of Denver, State of Colorado. Judgments affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 276. Richard H. Dana, individually, plaintiff in error, *v.* Richard H. Dana, Executor of the Will of Edith L. Dana, et al. In Error to the Supreme Judicial Court of the State of Massachusetts. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Day.

No. 419. R. A. Flanders, as Trustee of M. C. Coleman, appellant, *v. E. J. Coleman*. Appeal from the District Court of the United States for the Southern District of Georgia. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Day.

No. 431. The Brainerd Shaler & Hall Quarry Company, plaintiff in error, *v. Wilson B. Brice*, as Sole Surviving Executor of the Last Will and Testament of Henry Van Schaick, deceased, et al. In Error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Day.

No. 368. Capital Trust Company, Administrator, etc., plaintiff in error, *v. C. C. Calhoun*. In Error to the Court of Appeals of the State of Kentucky. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice McKenna. (Mr. Justice Holmes concurs in the result.) (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 976. The Northern Pacific Railway Company et al., plaintiffs in error, *v. The State of North Dakota ex rel. William Langer*, Attorney General. In Error to the Supreme Court of the State of North Dakota. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice White. (Mr. Justice Brandeis concurs in the result.)

No. 258. Public Service Company of Northern Illinois, appellant, *v. Stephen B. Corboy*, Drainage Commissioner of the Calumet Ditch. Appeal from the District Court of the United States for the District of Indiana. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice White.

No. 967. Dakota Central Telephone Company et. al., plaintiffs in error, *v. The State of South Dakota ex rel. Byron S. Payne*, Attorney General, et al. In Error to the Supreme Court of the State of South Dakota. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice White. Dissenting, Mr. Justice Brandeis.

No. 31, Original. The State of Kansas, complainant, *v. Albert S. Burleson*, Postmaster General of the United States, et al. Bill dismissed. Opinion by Mr. Chief Justice White. Dissenting Mr. Justice Brandeis.

No. 1006. Albert S. Burleson, Postmaster General, appellant, *v. Thomas E. Dempcy*, et al., constituting the Public Utilities Commis-

sion of Illinois, et al. Decree reversed with costs; and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice White. Dissenting, Mr. Justice Brandeis.

No. 957. Frederick J. Macleod, et al., etc., petitioners, *v.* New England Telephone & Telegraph Company. On writ of certiorari to the Supreme Judicial Court of the State of Massachusetts. Decree affirmed with costs. Opinion by Mr. Chief Justice White. Dissenting, Mr. Justice Brandeis.

Nos. 776 and 777. The United States of America, plaintiff in error, *v.* August Ferger, et al. In Error to the District Court of the United States for the Southern District of Ohio. Judgments reversed; and causes remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice White. Dissenting, Mr. Justice Pitney.

The Chief Justice also announced the following orders of the Court:

No. 349. Daniel Donahoe, plaintiff in error, *v.* The People of the State of Illinois. In Error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for want of jurisdiction upon the authority of *McCain v. Des Moines*, 174 U. S. 168, 181; *Western Union Tel. Co. v. Ann Arbor R. R. Co.*, 178 U. S. 239, 243; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whiteside*, 239 U. S. 144, 147. Petition for certiorari denied.

No. 240. John D. Faxon, plaintiff in error, *v.* Civil Township of Lallie, Benson County, North Dakota. In Error to the Supreme Court of the State of North Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, chapter 448, 39 Stats. L., 726.

No. —, Original. Ex parte In the matter of W. Gordon McCabe, Jr., and William F. Gray, Petitioners. Motion for leave to file petition for a writ of mandamus denied.

No. —. Elbert R. Robinson *v.* Chicago City Railway Company. Motion submitted herein denied.

No. 33, Original. The Commonwealth of Pennsylvania, complainant, *v.* The State of West Virginia; and

No. 34, Original. The State of Ohio, complainant, *v.* The State of West Virginia. Motions for preliminary injunctions in these cases to restrain the enforcement of the statute of the State of West Virginia in controversy severally granted, and the injunctions will issue accordingly.

No. 565. Wilson Scott Norris, appellant, *v.* The United States. Motion to remand this case for further findings granted.

No. 889. Stephen H. P. Pell et al., petitioners, *v.* W. Gordon McCabe, Jr., et al. Motion to advance granted, and case assigned for argument on Monday, October 13 next, after the cases heretofore assigned for that day.

No. 926. Adolph Lipman, petitioner, *v.* Abraham Slimmer, Jr., et al. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 965. Mineral Development Company, petitioner, *v.* Kentucky Coal Lands Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 997. Chester A. Snow, petitioner, *v.* Addis H. Snow. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1001. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v.* Mrs. E. B. Carpenter, Administratrix, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas denied.

No. 1005. Guaranty Trust Company of New York, petitioner, *v.* Chatham & Phenix National Bank of the City of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1012. Rensselaer & Saratoga Railroad Company, petitioner, *v.* The Delaware & Hudson Company, impleaded with Roscoe Irwin, collector, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1013. Harvey D. Apgar, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1014. Philip F. du Pont et al., petitioners, *v.* Pierre S. du Pont et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

The Chief Justice also announced that the Court would adjourn for the term on Monday next, the 9th instant.

No. 732. Charles Edwin Layton, alias, etc., plaintiff in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General King for the defendant in error in support of the motion and by Mr. Isaac B. Kimbrell and Mr. Martin J. O'Donnell for the plaintiff in error in opposition thereto.

No. 996. Silverthorne Lumber Company, Inc., et al., plaintiffs in error, *v.* The United States of America. Motion to dismiss or affirm submitted by Mr. Solicitor General King for the defendant in error in support of the motion, and by Mr. Frederic D. McKenney, Mr. Myer Cohen, and Mr. William D. Guthrie for the plaintiffs in error in opposition thereto.

No. 727. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 795. Joseph V. Stilson, plaintiff in error, *v.* The United States of America; and

No. 796. Joseph Sukys, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 804. Peter Schaefer, plaintiff in error, *v.* The United States of America;

No. 805. Paul Vogel, plaintiff in error, *v.* The United States of America;

No. 806. Louis Werner, plaintiff in error, *v.* The United States of America;

No. 807. Martin Darkow, plaintiff in error, *v.* The United States of America; and

No. 808. Herman Lemke, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 912. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 755. The United States of America, plaintiff in error, *v.* Josiah V. Thompson. Motion to advance submitted by Mr. Solicitor General King for the plaintiff in error.

No. 811. Robert F. Stroud, plaintiff in error, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General King for the defendant in error.

No. 914. Mark Eisner, as Collector, etc., plaintiff in error, *v.* Myrtle H. Macomber. Motion to assign for reargument submitted by Mr. Solicitor General King in behalf of counsel for the defendant in error.

No. 977. Charles Glen Collins, appellant, *v.* Frank M. Miller, U. S. Marshal, etc. Motion to dismiss submitted by Mr. Solicitor General King in behalf of Mr. Donelson Caffery for the appellee in support of the motion, and by Mr. J. Kemp Bartlett and Mr. J. Zach Spearing for the appellant in opposition thereto.

No. 951. L. R. Garrett, plaintiff in error, *v.* The United States of America;

No. 952. L. R. Garrett, appellant, *v.* The United States of America; and

No. 953. L. R. Garrett, appellant, *v.* The United States of America. Motion to set aside orders docketing and dismissing these cases and for leave to docket the cases submitted by Mr. Solicitor General King in behalf of counsel for the plaintiff in error and appellant.

No. —, Original. *Ex parte* In the matter of Charles C. Foster, Acting Superintendent of the Washington Asylum and Jail, petitioner. Petition for an allowance of an appeal submitted by Mr. Solicitor General King for the petitioner.

No. 1053. Charles' C. Foster, Acting Superintendent, etc., petitioner, *v.* Frank Joseph Goldsoll. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General King and Mr. Benjamin S. Minor for the petitioner, and by Mr. J. J. Darlington, Mr. Wilton J. Lambert, and Mr. Joseph W. Bailey for the respondent.

No. —, Original. *Ex parte* In the matter of the Baldwin Company and the Valley Gem Piano Company, petitioners. Petition for an appeal submitted by Mr. Alex. C. King in behalf of Mr. Lawrence Maxwell, and Mr. John E. Cross for the petitioners.

No. 1055. The Baldwin Company, petitioner, *v.* R. S. Howard Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Alex. C. King in behalf of Mr. Lawrence Maxwell, and Mr. John E. Cross for the petitioner, and by Mr. Samuel S. Watson for the respondent.

No. 1031. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alexander C. King in behalf of Mr. Walter C. Noyes, Mr. David Gerber and Mr. William J. Hughes for the petitioner, and by Mr. Charles H. Tuttle for the respondent.

No. 18, Original. State of Minnesota, complainant, *v.* State of Wisconsin. Motion to assign for hearing submitted by Mr. Frank B. Kellogg for the complainant.

No. 716. Louisiana Navigation Company, Limited, Plaintiff in error, *v.* Oyster Commission of Louisiana, etc., et al. Motion to advance submitted by Mr. H. Garland Dupré in behalf of counsel for the plaintiff in error.

No. 1007. The Coca-Cola Company, petitioner, *v.* The Koke Company of America et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. F. W. Lehmann, Mr. Harold Hirsch, Mr. Edward S. Rogers, and Mr. Frank F. Reed for the petitioner, and by Mr. Richard E. Sloan and Mr. C. L. Parker for the respondent.

No. 1003. Galveston, Harrisburg & San Antonio Railway Company, petitioner, *v.* L. H. Woodbury et al. Petition for a writ of

certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas submitted by Mr. Charles H. Bates in behalf of Mr. T. J. Beall for the petitioner, and by Mr. Rufus B. Daniel for the respondent.

No. 1030. Carlos Gsell, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. H. W. Van Dyke for the petitioner, and by Mr. Solicitor General King for the respondent.

No. 1039. The New York Central Railroad Company, plaintiff in error, *v.* Michael Bianc;

No. 1040. American Knife Company et al., plaintiffs in error, *v.* George Sweeting; and

No. 1041. Clark Knitting Company, Inc., et al., plaintiffs in error *v.* Elizabeth Vaughn. Motion to advance submitted by Mr. E. C. Aiken for the defendants in error.

No. 950. Joseph H. Sampliner, plaintiff in error, *v.* Motion Picture Patents Company et al. Motion for leave to proceed in forma pauperis submitted by Mr. E. C. Brandenburg of counsel for the plaintiff in error.

No. 1018. The Asbestos & Rubber Works of America, Inc., petitioner, *v.* The Scandinavian Belting Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. T. Hart Anderson and Mr. Perry B. Turpin for the petitioner, and by Mr. Nicholas M. Goodlett for the respondent.

No. 894. Earl Dear, plaintiff in error, *v.* The People of the State of Illinois. Motion to dismiss submitted by Mr. Noah C. Bainum in behalf of Mr. Edward J. Brundage and Mr. Edward C. Fitch for the defendant in error in support of the motion. Motion for extension of time to file counter suggestions in opposition to motion to dismiss submitted by Mr. Charles C. Williams and Mr. Emory J. Smith for the plaintiff in error in support of the motion, and by Mr. Edward J. Brundage and Mr. Edward C. Fitch for the defendant in error in opposition thereto.

No. 1038. T. W. M. Boone, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Joseph M. Hill and Mr. Henry L. Fitzhugh for the petitioner, and by Mr. Assistant Attorney General Porter and Mr. W. C. Herron for the respondent.

No. 1028. Fred Browne, petitioner, *v.* Charles B. Thorn et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James B. McDonough for the petitioner.

No. 614. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Motion to advance submitted by Mr. Reeve Lewis for the petitioner.

No. 1036. Strathearn Steamship Company, Limited, petitioner, *v.* John Dillon. Leave granted to file brief of Mr. Frederick R. Coudert and Mr. Howard Thayer Kingsbury as amici curiæ, on motion of Mr. H. J. Gerrity in their behalf. Motion for leave to intervene and take part in the oral argument if the writ of certiorari is granted, submitted by Mr. H. J. Gerrity in behalf of Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury.

No. 732. Charles Edwin Layton, alias, etc., plaintiff in error, *v.* The United States of America. Motion to amend record submitted by Mr. Martin J. O'Donnell and Mr. Isaac B. Kimbrell for the plaintiff in error.

No. 697. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Suggestion of diminution of the record and motion for writ of certiorari and motion to amend assignment of errors submitted by Mr. Joseph L. Tepper for the plaintiffs in error.

No. 1029. Pere Marquette Railway Company, petitioner, *v.* J. F. French & Company. Petition for a writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Oscar E. Waer and Mr. John C. Shields for the petitioner, and by Mr. Clare J. Hall for the respondent.

No. 1047. National Brake & Electric Company, petitioner, *v.* Niels A. Christensen et al. Petition for a writ of certiorari submitted by Mr. Clarence D. Kerr, in behalf of Mr. John S. Miller, Mr. Thomas B. Kerr, Mr. Charles A. Brown, and Mr. Edward Osgood Brown for the petitioner, and by Mr. Joseph B. Cotton, Mr. Willet M. Spooner, Mr. Louis Quarles, and Mr. William R. Rummler, for the respondent.

No. 1067. John Bernot, plaintiff in error, *v.* Peter Morrison et al. In Error to the Supreme Court of the State of Washington. Docketed and dismissed with costs, on motion of Mr. H. R. Gower for the defendants in error.

No. 1034. Southern Pacific Company, petitioner, *v.* W. S. Berkshire, Temporary Administrator, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas submitted by Mr. C. F. R. Ogilby in behalf of Mr. William I. Gilbert and Mr. W. F. Herrin for the petitioner.

No. 439. William P. Richardson, plaintiff in error, *v.* Liberty Oil Company et al. In Error to the Supreme Court of the State of Louisiana. Dismissed per stipulation.

No. 578. Western Casualty & Guaranty Insurance Company, plaintiff in error, *v.* Capitol State Bank of Oklahoma City. In Error to the Supreme Court of the State of Oklahoma. Dismissed per stipulation.

No. 740. H. C. Ferris and Alexander New, Receivers, etc., plaintiffs in error, *v.* B. F. Shandy. Dismissed with costs, on motion of counsel for plaintiffs in error.

No. 761. Ohio Valley Electric Railway Company, plaintiff in error, *v.* J. B. Hall, as Administrator, etc. In Error to the Court of Appeals of the State of Kentucky. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 1002. The South Dakota Central Railway Company, petitioner, *v.* Continental and Commercial Trust & Savings Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Tore Teigen for the petitioner.

No. 1008. Santa Marina Company, petitioner, *v.* The Canadian Bank of Commerce. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Edward W. McGraw for the petitioner.

No. 1010. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Evans Browne, Mr. Alexander Britton, and Mr. J. W. Terry for the petitioner, and by Mr. Assistant Attorney General Frierson for the respondent.

No. 1011. J. W. Prall, Administrator, etc., petitioner, *v.* Great Northern Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. E. M. Heyburn for the petitioner, and by Mr. M. L. Countryman and Mr. F. V. Brown for the respondent.

No. 1015. General Fireproofing Company, petitioner, *v.* Breckenridge Jones, Trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Charles Neave, Mr. W. K. Richardson, and Mr. F. L. Chappell for the petitioner, and by Mr. W. H. Dyrenforth and Mr. George A. Chritton for the respondent.

No. 1016. Jose De Guzman et al., petitioners, *v.* Faustino Lichauco. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Richard Campbell and Mr. Felipe Buencamino, jr., for the petitioners, and by Mr. Alex. Britton and Mr. Evans Browne for the respondent.

No. 1017. Lora McCray, petitioner, *v.* West Helena Consolidated Company. Petitions for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit and for leave to proceed in forma pauperis submitted by Mr. Charles C. Reid for the petitioner.

No. 1019. Robert B. Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. E. Brandenburg, Mr. W. E. Pope, and Mr. H. S. Bonham for the petitioner, and by Mr. Assistant Attorney General Porter and Mr. W. C. Herron for the respondent.

No. 1023. J. W. Simpson, petitioner, *v.* Grand International Brotherhood of Locomotive Engineers et al.; and

No. 1024. G. A. Smith, petitioner, *v.* Grand International Brotherhood of Locomotive Engineers et al. Petitions for writs of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. William H. Werth for the petitioners, and by Mr. Matthew M. Neely for the respondents.

No. 1025. Colorado Title & Trust Company, petitioner, *v.* J. G. Childers, Jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. H. Barwise, jr., and Mr. George Thompson for the petitioner, and by Mr. A. L. Curtis for the respondent.

No. 1027. William E. Mikell, petitioner, *v.* F. H. Hines, Major, Field Artillery, U. S. Army. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Levi H. David in behalf of Mr. Alva M. Lumpkin for the petitioner and by Mr. Assistant Attorney General Porter and Mr. W. C. Herron for the respondent.

No. 1033. Louisiana Agricultural Corporation, petitioner, *v.* Pelican Oil Refining Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. T. M. Miller for the petitioner.

No. 1035. The Michigan Mutual Life Insurance Company, petitioner, *v.* Ann Hope Oliver, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Forney Johnston for the petitioner, and by Mr. Thomas M. Stevens for the respondent.

No. 1036. Strathearn Steamship Company, Limited, petitioner, *v.* John Dillon. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Ralph James M. Bullowa for the petitioner, and by Mr. Frederic R. Coudert and Mr. Howard Thayer Kingsbury as amici curiæ.

No. 1037. John H. Mudd and Elizabeth G. Mudd, petitioners, *v.* Alabama Mineral Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. F. N. Judson for the petitioners, and by Mr. John P. Tillman for the respondent.

No. 1050. The Deer Island Lumber Company et al., petitioners, *v.* The Savannah Timber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William N. Graydon for the petitioners, and by Mr. J. J. Darlington for the respondent.

No. 1052. Brooks-Scanlon Company, petitioner, *v.* Railroad Commission of Louisiana. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. J. Blanc Monroe and Mr. Monte M. Lemann for the petitioner, and by Mr. W. M. Barrow for the respondent.

No. 1054. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Reeve Lewis, Mr. C. A. L. Massie, Mr. W. B. Kerkam, and Mr. Ralph L. Scott for the petitioner and by Mr. Nicholas M. Goodlett for the respondent.

No. 1059. J. M. Thompson, Master and Claimant, of the Steamship "Westmeath," etc., petitioner, *v.* Peter Lucas and Gustav Blixt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Woolsey and Mr. L. de Grove Potter for the petitioner.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES.

MONDAY, JUNE 9, 1919.

Present: The Chief Justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Van Devanter, Mr. Justice Pitney, Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Clarke.

Henry Hull, of Washington, D. C.; John J. Byrne, of Washington, D. C.; George W. Kreis, of Washington, D. C.; Monie Sanger, of Washington, D. C.; Harry R. McLogan, of Milwaukee, Wis.; Franklin D. Jones, of Washington, D. C.; William A. Ryan, of Brooklyn, N. Y.; Irving M. Weiss, of Buffalo, N. Y.; Eustace Reynolds, of Buffalo, N. Y.; Michael John Torlinski, of Nanticoke, Pa.; Walter Miller Burkhardt, of Narberth, Pa.; Sam M. Wolfe, of Columbia, S. C.; Shirley J. Holladay, of Beach Island, S. C.; Harold Harrison Ashley, of San Francisco, Cal., George A. Trice, of Coalgate, Okla.; William P. Hill, of McAlester, Okla.; A. C. Carson, of Manila, P. I.; William F. Kelly, of Washington, D. C.; Charles E. Peddicord, of Clarksburg, W. Va.; James H. Baugh, of Ballinger, Tex.; Charles A. Moon, of Muskogee, Okla.; Robert C. Garnett, of Washington, D. C.; William Strauss, of Frankfort, Ky.; William F. Sullivan, of San Francisco, Cal.; Charles E. Tullar, of Washington, D. C.; Henry E. Mielke, of Lewiston, Idaho; Lawrence H. Hedrick, of Hot Springs, S. Dak.; and A. Barr Comstock, of Boston, Mass.; were admitted to practice.

No. 186. William H. Odell, appellant, *v.* F. C. Farnsworth Company and Farnsworth Manufacturing Company. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Clarke.

No. 289. Guy E. Bowerman, appellant, *v.* C. D. Hamner, as Receiver of the First National Bank of Salmon. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs; and cause remanded to the District Court of

the United States for the District of Idaho. Opinion by Mr. Justice Clarke. Dissenting: Mr. Justice McKenna and Mr. Justice McReynolds.

No. 249. Texas & Pacific Railway Company and Missouri, Kansas & Texas Railway of Texas, petitioners, *v.* B. Leatherwood. On writ of certiorari to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas. Judgment reversed, costs of supervising and printing the record to be paid by the petitioner; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis. (The Chief Justice, Mr. Justice Holmes, and Mr. Justice Day concur in the opinion.) Concurring opinion by Mr. Justice McReynolds in which Mr. Justice Van Devanter concurred. Dissenting: Mr. Justice McKenna, Mr. Justice Pitney, and Mr. Justice Clarke.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogert et al., executors, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree modified, each party to pay one-half of the costs in this court; and cause remanded to the District Court of the United States for the Eastern District of New York for further proceedings in conformity with the opinion of this court. Petitions of various outside parties for leave to intervene denied without prejudice and referred to the District Court of the United States for the Eastern District of New York. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds. (The Chief Justice took no part in the consideration or decision of this case.)

No. 342. Erie Railroad Company, petitioner, *v.* John R. Shuart, Leo Shuart and John R. Shuart, jr., doing business under the name of John R. Shuart & Sons. On writ of certiorari to the Supreme Court of the State of New York. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Dissenting: Mr. Justice Clarke, Mr. Justice McKenna, Mr. Justice Day, and Mr. Justice Brandeis.

No. 275. S. D. Barrett, petitioner, *v.* The Virginian Railway Company. On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Western District of Virginia with direction to set aside the judgment in favor of the respondent and sustain motion to enter a nonsuit. Opinion by Mr. Justice McReynolds.

No. 20. The Arizona Copper Company, Limited, plaintiff in error, *v.* Joseph B. Hammer. In error to the District Court of the United States for the District of Arizona;

No. 21. The Arizona Copper Company, Limited, plaintiff in error, *v.* Richard Bray. In error to the District Court of the United States for the District of Arizona;

No. 232. Ray Consolidated Copper Company, plaintiff in error, *v.* Dan Veazey. In error to the District Court of the United States for the District of Arizona;

No. 332. Inspiration Consolidated Copper Company, plaintiff in error, *v.* Ceferino Mendez. In error to the Supreme Court of the State of Arizona; and

No. 334. The Superior & Pittsburg Copper Company, plaintiff in error, *v.* Frank Tomich, sometimes known as Frank Thomas. In error to the Supreme Court of the State of Arizona. Judgments affirmed with costs. Opinion of the court by Mr. Justice Pitney, in which Mr. Justice Holmes, Mr. Justice Day, Mr. Justice Brandeis, and Mr. Justice Clarke concurred. Concurring opinion by Mr. Justice Holmes, in which Mr. Justice Brandeis and Mr. Justice Clarke concurred. Dissenting opinion by Mr. Justice McKenna, concurred in by Mr. Chief Justice White, Mr. Justice Van Devanter, and Mr. Justice McReynolds. Separate dissenting opinion by Mr. Justice McReynolds, concurred in by Mr. Chief Justice White, Mr. Justice McKenna, and Mr. Justice Van Devanter.

No. 360. W. A. Hancock et al., plaintiffs in error, *v.* The City of Muskogee, Oklahoma, et al. In error to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 365. The American Manufacturing Company, plaintiff in error, *v.* The City of St. Louis. In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Pitney.

No. 31. The T. H. Symington Company, petitioner, *v.* The National Malleable Castings Company and J. J. Byers. On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of Maine. Opinion by Mr. Justice Van Devanter.

No. 24. William H. Miner, petitioner, *v.* The T. H. Symington Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Decree reversed with costs; and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 172. Northern Pacific Railway Company et al., petitioners, *v.* E. W. McComas. On writ of certiorari to the Supreme Court of

the State of Oregon. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 281. The City of Pawhuska, plaintiff in error, *v.* Pawhuska Oil and Gas Company and The State of Oklahoma. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Van Devanter.

No. 293. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds, surviving and liquidating partner of James H. Minds and William J. Matz, lately trading as Bulah Coal Company; and

No. 294. Pennsylvania Railroad Company, plaintiff in error, *v.* James H. Minds and Julia A. Matz, trading as Bulah Coal Company. In error to the United States Circuit Court of Appeals for the Third Circuit. Judgments affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Day.

No. 319. Emily R. de Ganay *v.* Ephraim Lederer, Collector of Internal Revenue. On a certificate from the United States Circuit Court of Appeals for the Third Circuit. Question certified answered in the affirmative. Opinion by Mr. Justice Day. (Mr. Justice McReynolds took no part in the consideration or decision of this case.)

No. 176. Louisville & Nashville Railroad Company, appellant, *v.* Western Union Telegraph Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Mississippi. Opinion by Mr. Justice Holmes.

No. 248. Louisville & Nashville Railroad Company, plaintiff in error, *v.* The Western Union Telegraph Company. In error to the Supreme Court of the State of Mississippi. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

Nos. 67 and 68. F. Vitelli & Son, petitioners, *v.* The United States. On writs of certiorari to the United States Court of Customs Appeals. Judgments reversed; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice White.

No. 815. The Commercial Cable Company, appellant, *v.* Albert S. Burluson and Newcomb Carlton; and

No. 816. Commercial Pacific Cable Company, appellant, *v.* Albert S. Burluson and Newcomb Carlton. Appeals from the District Court of the United States for the Southern District of New York. Decrees

reversed; and causes remanded with directions to set aside the decrees and to substitute decrees dismissing the bills without prejudice and without costs, because the controversy which they involve has become moot, and is no longer, therefore, a subject appropriate for judicial action. Opinion by Mr. Chief Justice White.

The Chief Justice also announced the following orders of the court:

No. 732. Charles Edwin Layton, alias Francis Edwin Leighton, etc., plaintiff in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Iowa. *Per curiam*: Dismissed for want of jurisdiction upon the authority of *Picket v. Legerwood* (7 Pet., 144, 148); *United States v. Abbatoir Place* (106 U. S., 160, 162).

No. 894. Earl Dear, plaintiff in error, *v.* The People of the State of Illinois. In error to the Supreme Court of the State of Illinois. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *Spencer v. Duplan Silk Co.* (191 U. S., 526, 530); *Shulthis v. McDougal* (225 U. S., 561, 569); *Hull v. Burr* (234 U. S., 712, 720); *Norton v. Whiteside* (239 U. S., 144, 147).

No. 797. Mary Willem, a creditor of Mrs. Kate King, a bankrupt, appellant, *v.* Dawson E. Bradley, Trustee in Bankruptcy of the Estate of Mrs. Kate King, a Bankrupt. Motion for leave to proceed *in forma pauperis* denied.

No. 950. Joseph H. Sampliner, plaintiff in error, *v.* Motion Picture Patents Company et al. Motion for leave to proceed *in forma pauperis* denied.

No. —, original. *Ex parte* in the matter of Charles C. Foster, Acting Superintendent of the Washington Asylum and Jail, petitioner. Petition for the allowance of an appeal herein denied.

No. —, original. *Ex parte* in the matter of the Baldwin Company and the Valley Gem Piano Company, petitioners. Petition for the allowance of an appeal herein granted.

No. 951. L. R. Garrett, plaintiff in error, *v.* The United States of America;

No. 952. L. R. Garrett, appellant, *v.* The United States of America; and

No. 953. L. R. Garrett, appellant, *v.* The United States of America. Motion to vacate and set aside the orders docketing and dismissing these cases and for leave to file the records and docket the cases denied.

No. 697. Daniel O'Connell et al., plaintiffs in error, *v.* The United States of America. Motion for a writ of certiorari on suggestion of

diminution of the record herein granted, without prejudice, and motion for leave to amend the assignment of errors postponed to the hearing on the merits.

No. 1036. Strathearn Steamship Company, Limited, petitioner, *v.* John Dillon. Motion of counsel for the British Embassy for leave to intervene herein as *amicus curiæ*, and for leave to file brief and take part in the oral argument granted.

No. 18, original. The State of Minnesota, complainant, *v.* The State of Wisconsin. Motion to fix a day for the hearing of this cause granted, and the cause assigned for argument on Monday, October 13 next, after the cases heretofore assigned for that day.

No. 914. Mark Eisner, as Collector of United States Internal Revenue for the Third District of the State of New York, plaintiff in error, *v.* Myrtle H. Macomber. Motion to fix a day for the reargument of this cause granted, and the cause assigned for Monday, October 13 next, after the cases heretofore assigned for that day.

No. 727. Clinton H. Pierce et al., plaintiffs in error, *v.* The United States of America;

No. 795. Joseph V. Stilson, plaintiff in error, *v.* The United States of America;

No. 796. Joseph Sukys, plaintiff in error, *v.* The United States of America;

No. 804. Peter Schaefer, plaintiff in error, *v.* The United States of America;

No. 805. Paul Vogel, plaintiff in error, *v.* The United States of America;

No. 806. Louis Werner, plaintiff in error, *v.* The United States of America;

No. 807. Martin Darkow, plaintiff in error, *v.* The United States of America;

No. 808. Herman Lemke, plaintiff in error, *v.* The United States of America;

No. 912. Jacob Abrams et al., plaintiffs in error, *v.* The United States of America;

No. 755. The United States of America, plaintiff in error, *v.* Josiah V. Thompson;

No. 811. Robert F. Stroud, plaintiff in error, *v.* The United States of America;

No. 716. Louisiana Navigation Company, Limited, plaintiff in error, *v.* Oyster Commission of Louisiana (now Department of Conservation of Louisiana) et. al.;

No. 1039. The New York Central Railroad Company, plaintiff in error, *v.* Michael Bianc;

No. 1040. American Knife Company and Aetna Life Insurance Company, plaintiffs in error, *v.* George Sweeting; and

No. 1041. Clark Knitting Company, and Aetna Life Insurance Company, plaintiffs in error, *v.* Elizabeth Vaughn. Motions to advance severally granted, and the cases assigned for Monday, October 13 next, after the cases heretofore assigned for that day.

No. 614. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Motion to advance denied.

No. 996. Silverthorne Lumber Company (Inc.) et. al., plaintiffs, in error, *v.* The United States of America. Further consideration of the motion to dismiss or affirm postponed to the hearing on the merits.

No. 977. Charles Glen Collins, appellant, *v.* Frank M. Miller, United States Marshall, etc. Further consideration of the motion to dismiss postponed to the hearing on the merits.

No. 1003. Galveston, Harrisburg & San Antonio Railway Company, petitioner, *v.* L. H. Woodbury and Vincent Woodbury. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas granted.

No. 1007. The Coca-Cola Company, petitioner, *v.* Koke Company of America et. al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1019. Robert B. Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1029. Pere Marquette Railway Company, petitioner, *v.* J. F. French & Company. Petition for a writ of certiorari to the Supreme Court of the State of Michigan granted.

No. 1031. J. Hartley Manners, petitioner, *v.* Oliver Morosco. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1034. Southern Pacific Company, petitioner, *v.* W. S. Berkshire, Temporary Administrator, etc. Petition for a writ of certiorari to the Court of Civil Appeals for the Eighth Supreme Judicial District of the State of Texas granted.

No. 1036. Strathearn Steamship Company, Limited, petitioner, *v.* John Dillon. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1047. National Brake & Electric Company, petitioner, *v.* Neils A. Christensen et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 1052. Brooks-Scanlon Company, petitioner, *v.* Railroad Commission of Louisiana. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana granted.

No. 1059. J. M. Thompson, Master and Claimant, etc., petitioner, *v.* Peter Lucas and Gustav Blixt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1002. The South Dakota Central Railway Company, petitioner, *v.* Continental & Commercial Trust & Savings Bank and Frank H. Jones, as Trustee, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1008. Santa Marina Company, petitioner, *v.* The Canadian Bank of Commerce. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1010. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1011. J. W. Prall, Administrator, etc., petitioner, *v.* Great Northern Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Washington denied.

No. 1015. General Fireproofing Company, petitioner, *v.* Breckenridge Jones, Trustee, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1016. Jose de Guzman et al., petitioners, *v.* Faustino Lichauco. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 1017. Lora McCray, petitioner, *v.* West Helena Consolidated Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1018. The Asbestos & Rubber Works of America (Inc.), petitioner, *v.* The Scandinavian Belting Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1023. J. W. Simpson, petitioner, *v.* Grand International Brotherhood of Locomotive Engineers et al. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 1024. G. A. Smith, petitioner, *v.* Grand International Brotherhood of Locomotive Engineers et al. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 1025. Colorado Title & Trust Company, petitioner, *v.* J. G. Childers, Jr. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1027. William E. Mikell, petitioner, *v.* F. H. Hines, Major, Field Artillery, U. S. Army. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1028. Fred Browne, petitioner, *v.* Charles B. Thorn et al., partners doing business as Thorn & Maginnis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1030. Carlos Gsell, petitioner, *v.* The Insular Collector of Customs. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 1033. Louisiana Agricultural Corporation, petitioner, *v.* Pelican Oil Refining Company (Inc.). Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1035. The Michigan Mutual Life Insurance Company, petitioner, *v.* Ann Hope Oliver, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1037. John H. Mudd and Elizabeth G. Mudd, petitioners, *v.* Alabama Mineral Land Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1038. T. W. M. Boone, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1050. The Deer Island Lumber Company and Van Dorn S. Wilkins, petitioners, *v.* The Savannah Timber Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1053. Charles C. Foster, acting superintendent, etc., petitioner, *v.* Frank Joseph Goldsoll. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1054. Meccano, Limited, petitioner, *v.* John Wanamaker, New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 996. Silverthorne Lumber Company (Inc.), et al., plaintiffs in error, *v.* The United States of America. Former order denying motion to admit Frederick W. Silverthorne to bail vacated,

and ordered that he be enlarged on bail pending the hearing, and the amount of the bond fixed at \$5,000, to be approved by the judge of the District Court of the United States for the Western District of New York.

No. 1055. The Baldwin Company, petitioner, *v.* R. S. Howard Company. Consideration of the petition for a writ of certiorari herein postponed to the hearing of the case on appeal.

No. 305. Southern Pacific Company, petitioner, *v.* Henry L. Bogert, et al., executors, etc., et al. Leave granted to present a petition for rehearing herein within 30 days, on motion of Mr. Alex. C. King in behalf of counsel.

No. 368. Capital Trust Company, administrator, etc., plaintiff in error, *v.* C. C. Calhoun. Leave granted to present a petition for rehearing herein within 30 days, on motion of Mr. Charles F. Con-saul for the defendant in error.

No. 365. The American Manufacturing Company, plaintiff in error, *v.* The City of St. Louis. Leave granted to present a petition for rehearing herein within thirty days, on motion of Mr. John C. Brooke in behalf of counsel for the plaintiff in error.

No. 349. Daniel Donahoe, plaintiff in error, *v.* The People of the State of Illinois. Leave granted to present petition for rehearing herein within 30 days, on motion of Mr. Leo L. Donahoe for the plaintiff in error.

ORDER.

It is now here ordered by the court that all the cases on the docket not decided and all the other business of the term not disposed of be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.